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# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Nineteenth Year of the Reign of His Majesty  
KING GEORGE V

Being the Third Session of the Seventeenth  
Legislature of Ontario

1929

BEGUN AND HOLDEN AT TORONTO ON THE THIRTIETH DAY OF JANUARY  
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND TWENTY-NINE



ONTARIO

232711  
29.5.29.

HIS HONOR WILLIAM DONALD ROSS  
LIEUTENANT-GOVERNOR

TORONTO

Printed and Published by the Printer to the King's Most Excellent Majesty

1929

Statutes  
1897

# STATUTES

## PROVINCE OF ONTARIO



Nineteenth Year of the Reign of  
KING GEORGE

By the Hon. George F. B. ...  
Lieutenant Governor



ONTARIO

11/11/97  
11/11/97  
11/11/97  
11/11/97  
11/11/97

THE LEGISLATIVE COUNCIL  
OF THE PROVINCE OF ONTARIO

PRINTED BY

THE LEGISLATIVE COUNCIL OF THE PROVINCE OF ONTARIO

# TABLE OF CONTENTS

19 Geo. V.  
(1929,  
Cap.

PAGE

1. An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1929, and for the Public Service of the financial year ending the 31st day of October, 1930..	1
2. An Act for raising Money on the Credit of the Consolidated Revenue Fund.....	4
3. An Act respecting the Boundary Between the Provinces of Ontario and Manitoba.....	5
4. An Act to consolidate and amend The Soldiers' Aid Commission Act.....	8
5. An Act to amend The Election Act.....	13
6. An Act respecting Contributions for Political Purposes....	26
7. An Act to amend The Public Service Act.....	27
8. An Act to amend The Sheriffs' Act.....	28
9. An Act to amend The Public Officers' Fees Act.....	29
10. An Act to amend The Succession Duty Act.....	31
11. An Act to make further provision for Northern Ontario Development.....	32
12. An Act to amend The Northern Development Act.....	33
13. The Pulpwood Conservation Act, 1929.....	34
14. The Provincial Forests Act, 1929.....	39
15. An Act to amend The Mining Act.....	42
16. An Act to amend The Natural Gas Conservation Act....	45
17. An Act to amend The Highway Improvement Act.....	46
18. An Act to amend The Gasoline Tax Act.....	48
19. An Act to amend The Public Service Works on Highways Act.....	49
20. An Act to amend The Power Commission Act.....	50

19 Geo. V.  
(1929)  
Cap.

	PAGE
21. An Act to validate certain By-laws respecting the Hydro-Electric Power Commission of Ontario.....	57
22. The Power Commission and Companies Transfer Act, 1929	60
23. The Statute Law Amendment Act, 1929.....	63
24. An Act to amend The Provincial Aid to Drainage Act.....	70
25. An Act to consolidate and amend The Tile Drainage Act..	71
26. An Act to amend The Vital Statistics Act.....	80
27. An Act to amend The Niagara Parks Act.....	81
28. An Act to amend The Presqu'île Park Act.....	82
29. An Act to facilitate the Reciprocal Enforcement of Judgments and Awards.....	83
30. An Act to amend The Division Courts Act.....	87
31. An Act to amend The Jurors' Act.....	88
32. An Act to amend The Lunacy Act.....	90
33. An Act to amend The Evidence Act.....	91
34. An Act to extend the operation of The Costs of Distress Act	93
35. An Act to amend The Execution Act.....	94
36. An Act to provide for the Better Definition and Extension of the Jurisdiction of Certain Magistrates.....	96
37. An Act to amend The Summary Convictions Act.....	97
38. An Act to amend The Crown Attorneys Act.....	98
39. An Act to amend The Constables Act.....	100
40. An Act to amend The Administration of Justice Expenses Act.....	104
41. An Act to facilitate the Investigation of Titles of Real Estate.....	106
42. An Act to amend The Devolution of Estates Act.....	110
43. An Act to amend The Registry Act.....	111

19 Geo. V.  
(1929)  
Cap.

	PAGE
44. An Act to amend The Mortgage Tax Act.....	117
45. An Act to amend The Land Titles Act.....	118
46. An Act to amend The Parents' Maintenance Act.....	119
47. An Act to make Better Provision for Dependants of Deceased Persons.....	120
48. An Act to amend The Infants' Act.....	125
49. An Act to amend The Companies Act.....	126
50. An Act to amend The Companies Information Act, 1928..	131
51. An Act to amend The Security Frauds Prevention Act, 1928	132
52. An Act to amend The Extra Provincial Corporations Act..	137
53. An Act to amend The Insurance Act.....	138
54. An Act to amend The Loan and Trust Corporations Act...	144
55. The Hydro-Electric Railway Act, 1929.....	150
56. An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.....	152
57. An Act to amend The Municipal Act.....	166
58. The Municipal Amendment Act, 1929.....	167
59. An Act respecting the Acquisition of Land for Industrial Sites.....	173
60. An Act to amend The Local Improvement Act.....	174
61. An Act to amend The Planning and Development Act....	175
62. An Act to amend The Suburban Area Development Act...	176
63. The Assessment Amendment Act.....	177
64. An Act to Confirm Tax Sales and Deeds.....	181
65. An Act to amend The Municipal Franchises Act.....	182
66. An Act to amend The Public Libraries Act.....	184
67. An Act to amend The Public Utilities Act.....	185



19 Geo. V.  
(1929)  
Cap.

	PAGE
68. An Act to amend The Highway Traffic Act.....	186
69. An Act to amend The Liquor Control Act.....	190
70. An Act for the Prevention of Fraud in the Sale of Alberta Coal.....	196
71. An Act for the Better Prevention of Silicosis Among Stone Workers.....	198 ✓
72. An Act to amend The Factory, Shop and Office Building Act.....	200 ✓
73. An Act to provide for Old Age Pensions.....	203 ✓
74. An Act to amend The Juvenile Courts Act.....	208
75. An Act respecting Hotels.....	210
76. An Act to amend The Fire Marshals Act.....	221
77. An Act for the further Protection of Beaches.....	223
78. An Act to amend The Dog Tax and Sheep Protection Act..	224
79. An Act respecting the Transportation of Fowl on the Highways.....	225
80. An Act to amend The Steam Boiler Act.....	228
81. An Act respecting the Barberry Shrub.....	229
82. An Act to amend The Game and Fisheries Act.....	231
83. An Act to amend The Wolf Bounty Act.....	234
84. The School Law Amendment Act, 1929.....	236
85. An Act to amend The University Lands Act.....	241
86. An Act to amend The Research Foundation Act.....	243
87. An Act to amend The Registration of Nurses Act.....	245
88. An Act to amend The Probation Act.....	246
89. An Act respecting the Village of Acton.....	249
90. An Act respecting the Township of Anderdon.....	252
91. An Act respecting the City of Brantford.....	255

19 Geo. V.  
(1929)  
Cap.

PAGE

92. An Act respecting the Town of Capreol.....	258
93. An Act respecting the Town of Cobourg.....	261
94. An Act respecting the Town of Cornwall.....	262
95. An Act respecting the Township of Cornwall and the Ottawa and New York Railway Company and the New York Central Railroad Company.....	264
96. An Act respecting the Township of East York.....	268
97. An Act to amend The Consolidated Essex Border Utilities Act.....	275
98. An Act to amend and consolidate the Acts respecting the Essex Border Utilities Commission.....	277
99. An Act respecting the Village of Fort Erie.....	306
100. An Act respecting the City of Galt.....	308
101. An Act respecting the Town of Georgetown.....	310
102. An Act respecting the City of Guelph.....	315
103. An Act respecting the City of Hamilton.....	318
104. An Act respecting the Town of Kenora.....	326
105. An Act respecting the Town of Leamington.....	328
106. An Act respecting the City of London.....	329
107. An Act respecting the Town of Meaford.....	332
108. An Act respecting the Township of Nepean.....	341
109. An Act respecting the City of Niagara Falls.....	347
110. An Act respecting the Township of North York.....	349
111. An Act respecting the Town of Ojibway.....	357
112. An Act respecting the Township of Oliver.....	360
113. An Act respecting the City of Oshawa.....	362
114. An Act respecting the City of Ottawa.....	365
115. An Act respecting the City of Owen Sound.....	369

19 Geo. V. (1929) Cap.	PAGE
116. An Act respecting the City of Port Arthur.....	371
117. An Act respecting the Village of Richmond Hill.....	376
118. An Act respecting the City of St. Thomas.....	379
119. An Act respecting the Town of Sandwich.....	381
120. An Act respecting the City of Sarnia.....	385
121. An Act respecting the Township of Stamford.....	394
122. An Act respecting the Town of Sudbury.....	396
123. An Act respecting the Town of Tecumseh.....	398
124. An Act respecting the City of Toronto.....	400
125. An Act respecting the City of Toronto.....	419
126. An Act respecting the City of Windsor.....	422
127. An Act to authorize the City of Windsor to Appoint a City Manager.....	426
128. An Act respecting the Township of York.....	428
129. An Act to provide for the Administration of the Roman Catholic Separate Schools in Ward 6 of the Town of Eastview.....	434
130. An Act respecting The Brockville Loan and Savings Company.....	437
131. An Act respecting the Grand Lodge of Ontario of the Independent Order of Oddfellows.....	440
132. An Act respecting the Oddfellows' Relief Association.....	445
133. An Act respecting Canadian Military Institute.....	450
134. An Act respecting The Canadian Terminal System, Limited, and the City of Fort William.....	452
135. An Act respecting the United Fuel Investments, Limited, the Town of Oakville, the Townships of Trafalgar and Nelson, Burlington Beach Commission and the Police Village of Bronte.....	461
136. An Act respecting the Central Canada Exhibition Associa- tion.....	482
137. An Act respecting the War Memorial Fund of the Imperial Order Daughters of the Empire.....	486



# 19 GEORGE V

## CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1929, and for the Public Service of the financial year ending the 31st day of October, 1930.

*Assented to 28th March, 1929.*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour Preamble.  
William Donald Ross, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1929, and for the financial year ending the 31st day of October, 1930, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:—

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Sixteen million twenty thousand six hundred and fifty-nine dollars and twenty-one cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1928, to the 31st day of October, 1929, as set forth in Schedule "A" to this Act. \$16,020,-  
659.21  
granted for  
year ending  
31st October,  
1929.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Forty-seven million three hundred and eighteen thousand two hundred and seventy dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1929, to the 31st day of October, 1930, as set forth in Schedule "B" to this Act. \$47,318,-  
270.00  
granted for  
fiscal year  
1929-30.

Accounts  
to be laid  
before  
Assembly.

**3.** Accounts in detail of all moneys received on account of this Province during the said financial year 1928-29, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1929-30 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for  
1928-29 un-  
expended  
to lapse.

**4.** Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1929, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Rev. Stat.,  
c. 25.

Appropriations for  
1929-30 un-  
expended  
to lapse.

**5.** Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1930, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting for ex-  
penditure.

**6.** The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

#### SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-nine, to defray expenses of:

Prime Minister's Department.	\$10,437,175 75
Legislation.....	2,600 00
Attorney-General's Department	40,200 00
Insurance Department.....	12,400 00
Education Department.....	1,596,752 00



Lands and Forests Department	\$642,200 00
Mines Department.....	59,625 00
Game and Fisheries Department	96,350 00
Public Works Department.....	1,950,297 42
Highways Department.....	47,488 38
Health Department.....	70,550 00
Labour Department.....	252,787 65
Provincial Treasurer's Department.....	27,375 00
Provincial Auditor's Office.....	7,900 00
Provincial Secretary's Department.....	586,648 01
Agriculture Department.....	161,410 00
Miscellaneous.....	28,900 00
<hr/>	
Total estimates for expenditure of 1928-1929.....	\$16,020,659 21

## SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty, to defray expenses of:

Lieutenant-Governor's Office...	\$6,250 00
Prime Minister's Department..	15,213,193 00
Legislation.....	375,575 00
Attorney-General's Department	2,097,740 00
Insurance Department.....	59,850 00
Education Department.....	7,889,229 00
Lands and Forests Department	2,980,400 00
Northern Development Department.....	499,800 00
Mines Department.....	385,600 00
Game and Fisheries Department	593,050 00
Public Works Department.....	1,503,968 00
Highways Department.....	579,125 00
Health Department.....	731,200 00
Labour Department.....	2,922,550 00
Provincial Treasurer's Department.....	592,200 00
Provincial Auditor's Office.....	99,480 00
Provincial Secretary's Department.....	7,395,465 00
Agriculture Department.....	2,765,595 00
Miscellaneous.....	628,000 00
<hr/>	

Total estimates for expenditure of 1929-1930.....\$47,318,270 00

## CHAPTER 2.

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Loan Act, 1929*.

Loan of  
\$40,000,000,  
authorized.

**2.** The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of succession duty.

Terms to be  
fixed by  
Lieutenant-  
Governor.

**3.** The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking  
Fund.

**4.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act*.

Rev. Stat.,  
c. 23.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 3.

An Act respecting the Boundary Between the  
Provinces of Ontario and Manitoba.*Assented to 28th March, 1929.*

**W**HEREAS by *The British North America Act, 1871*, it is <sup>Preamble.</sup> provided that "The Parliament of Canada may from time to time with the consent of the Legislature of any Province of the said Dominion, increase, diminish or otherwise alter the limits of such Province"; and whereas the inter-provincial boundary between the Provinces of Ontario and Manitoba has been surveyed and marked on the ground by commissioners duly appointed for that purpose, from the northwest angle of the Lake of the Woods northerly to the twelfth base line of the system of Dominion Land Surveys, in accordance with the descriptions contained in the schedule to the Act of the Imperial Parliament known as *The Canada (Ontario Boundary) Act, 1889*, and in *The Ontario Boundaries Extension Act* (2 Geo. V, chapter 40, Dom.); and whereas it is desirable that the boundary so surveyed and marked on the ground shall be accepted and confirmed as the true and unalterable boundary between the Provinces of Ontario and Manitoba;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario and Manitoba* <sup>Short title.</sup>  
*Boundary Line Act, 1929.*

2. In case the Legislature of the Province of Manitoba <sup>Declaration</sup> consents thereto, the Legislature of the Province of Ontario <sup>of consent as</sup> hereby consents that the Parliament of Canada may declare <sup>to boundary.</sup> that the boundary line surveyed and marked on the ground, and more particularly described in the schedule to this Act, by the Commission appointed in 1897 to delimit the boundary between the Provinces of Ontario and Manitoba from the Lake of the Woods to the Winnipeg River, consisting of Elihu Stewart, D.L.S., representing the Dominion of Canada, and B. J. Saunders, O.L.S., representing the Province of Ontario, and by the Commission appointed in 1921 to delimit

the boundary between the Provinces of Ontario and Manitoba from the Winnipeg River northerly, consisting of the Surveyor-General of Dominion lands, representing the Dominion of Canada, and the Director of Surveys for Ontario, representing the Province of Ontario, shall be the boundary line between this Province and the Province of Manitoba, although the limits of the Province may be thereby increased, diminished or otherwise altered, and thereupon in so far as the Legislature of the Province of Ontario has power so to enact the boundary line between the Province of Ontario and the Province of Manitoba shall be as described in the said schedule.

### SCHEDULE

Description by metes and bounds of the surveyed portions of the western boundary of the Province of Ontario.

Commencing at the most northerly point on the International Boundary between Canada and the United States at the northwest angle of the Lake of the Woods, as established by Dr. Tiarks and David Thompson under the direction of the Commissioners appointed under Article VII of the Treaty of Peace and Amity between His Britannic Majesty and the United States of America signed at Ghent the 24th December, 1814, and confirmed by Article II of the Ashburton Treaty of 1842, said most northerly point being styled the Initial Point on the official plan of survey of the boundary between the Provinces of Ontario and Manitoba from Lake of the Woods to Winnipeg River, which said Initial Point may be more particularly known and described as being seventy-two chains and fifty links, more or less, due north of the most northerly point on the International Boundary at the northwest angle of the Lake of the Woods as determined by Article I of the Treaty between His Britannic Majesty in respect of the Dominion of Canada and the United States for the Further Demarcation of the Boundary between Canada and the United States, signed at Washington on February 24th, 1925, which said Initial Point is also one hundred and fifty chains and one link, more or less, due north from an iron post extending four feet above ground and planted about five chains northerly from the north bank of the Northwest Angle River, bearing the following inscriptions:—"October 20th, 1818" on the south side, and on the north side the words "convention of London" said post having been planted by the International Boundary Commissioners in 1872 to mark the boundary between the Dominion of Canada and the United States of America; which said Initial Point is also one hundred and ten chains and sixty-two links, more or less, due north from an iron post extending four feet above the ground bearing similar inscriptions and planted by the same authority as the above mentioned post.

Thence from said Initial Point due north along the boundary between the Provinces of Ontario and Manitoba as marked on the ground by the Commissioners referred to in the Act to which this description is a Schedule, a distance of two hundred and thirty-eight miles, thirteen chains and twenty-eight links, more or less, to a point at the centre of the road allowance on the north side of the twelfth Base Line of the System of Dominion Land Surveys, said point being thirty chains and fifty-seven links, due north from a concrete monument on said Boundary, which said monument is about three feet high above the ground and bears the following inscriptions: on the east side "No. 218 Ontario" and on the west side "No. 218 Manitoba," said Boundary from the Initial Point to the Winnipeg River being marked at intervals of approximately one mile in length by iron posts and mounds, each post bearing the number corresponding to the number of miles which it is distant from said Initial Point on the south side, the letters "MAN" for Manitoba on the west side and

the letters "ONT" for Ontario on the east side, and from the Winnipeg River northerly the said Boundary being marked at intervals of approximately six miles in length by concrete monuments bearing brass plates on which are the following inscriptions: On the east side, the number of the monument and the word "ONTARIO" and on the west side the number of the monument and the word "MANITOBA," said boundary from the Winnipeg River northerly being also marked at intervals of approximately one mile in length with special posts and mounds, the posts bearing the inscriptions "Interprovincial Boundary" "Ontario-Manitoba," each post having also marked on it the number of the monument, the number of the bench mark and the year of the survey.

That part of the said Boundary which lies between the Lake of the Woods and Winnipeg River is shown on the official plan of the survey of said Boundary, dated 30th April, 1898, and signed by Elihu Stewart, D.L.S., and B. J. Saunders, O.L.S. The Commissioners appointed in 1897, and that part of said Boundary lying between the Winnipeg River and the twelfth Base Line aforesaid being shown on a series of sixteen plans of survey published in atlas form in 1925 and signed by the Surveyor-General of Dominion Lands, and the Director of Surveys for the Province of Ontario, as the Commissioners appointed in 1921, all of which plans are of record in the Department of the Interior at Ottawa, in the Department of Public Works at Winnipeg and the Department of Lands and Forests at Toronto.



## CHAPTER 4.

## An Act to consolidate and amend The Soldiers' Aid Commission Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Soldiers' Aid Commission Act, 1929.*

Soldiers' Aid Commission continued.

**2.** The Soldiers' Aid Commission established by Order-in-Council dated the 10th day of November, A.D. 1915, and set out in schedule "A," which order was confirmed by section 2 of the Act passed in the sixth year of His Majesty's reign, chaptered 3, is continued and constituted a body corporate and politic under the name of the "Soldiers' Aid Commission," hereinafter called the "Commission," with power to buy, sell, lease, hold or otherwise deal in real property for the purposes of the Commission.

Execution of conveyances by corporation.

**3.**—(1) A conveyance, document or other instrument executed under the hand of the chairman and the supervising commissioner and the seal of the Commission, shall be deemed sufficiently executed to bind the Commission for all purposes.

Sufficiency of execution.

(2) Every conveyance, document or instrument heretofore signed, or purporting to have been signed, on behalf of the Commission by the chairman and the secretary thereof, or by the chairman and any other member of the Commission, or by the chairman and any officer of the Commission duly appointed, or by any member of the Commission and any officer of the Commission duly appointed, shall be deemed to be and to have been executed by the Commission and is hereby validated and confirmed, and every such conveyance, document or instrument so executed is declared and shall be deemed to have and to have had the effect of vesting in any person named therein such right, title and interest of the Commission as the conveyance, document or instrument conveys or transfers, or purports to convey or transfer to him in the land therein described.

4.—(1) Notwithstanding anything in the said Order-in-Council of the 10th day of November, 1915, contained, the Commission may exercise the like powers with respect to, and may grant the same assistance to members of His Majesty's Imperial Forces or the forces of any of the Allies who, as Reservists, and while resident in Canada, were called upon to serve in the Imperial Forces or the forces of any of the Allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial Forces or the forces of any of the Allies to serve therein during the late war with Germany, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the Order-in-Council of the 10th day of November, 1915, and the like assistance may be granted to any person who, after enlistment in Canada for service in the said war, and before going overseas, has been discharged on account of wounds, injury or disease incurred or contracted while on active service. 1916, c. 3, s. 4.

Powers of  
Commission.

(2) Notwithstanding anything in the said Order-in-Council dated the 10th day of November, 1915, the Commission shall have and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in section 4 who have returned to Ontario since the war as it may with respect to those who returned during the war.

Extent of  
powers of  
Commission.

5. The Lieutenant-Governor in Council may add such persons from time to time as members of the Commission as he may deem advisable, or may appoint a member in place of any member dying or retiring or becoming incapable of acting. 1916, c. 3, s. 5.

Adding  
members to  
Commission.

6. The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities in the Province and appoint a supervising commissioner and such officers, clerks, servants and agents as may be deemed necessary and expedient for carrying out the work of the Commission, and the salaries, wages, fees or other remuneration payable to such officers, clerks, servants and agents, and all other costs, charges and expenses incurred by the Commission shall be payable out of such moneys as may be appropriated from time to time by the Legislature for the purposes of the Commission. 1916, c. 3, s. 6.

Branches,  
office staff,—  
appointment of.

7.—(1) The Commission has and shall be deemed to have had since the date of its establishment, power to receive, administer and dispose of gifts, devises and bequests for the benefit of persons belonging to any of the classes mentioned in section 4, or for the benefit, as a class, of the wives, widows, children and dependent relatives of any such person belonging to any of the classes mentioned in section 4, and, without limiting the generality of the foregoing, shall be deemed to

Commission  
authorized  
to receive  
and admin-  
ister gifts,  
etc.

include

include the right to receive, hold, administer and dispose of lands so devised.

Where bequest would otherwise be void for uncertainty.

(2) Where by the will of any person dying before or after the passing of this Act, a devise or bequest is made to or for the benefit of any class of persons mentioned in section 4, or for any object within the powers of the Commission, or for any like purpose, and such will does not specify the particular person, society or institution that is to receive such devise or bequest, or if such devise or bequest is or may be held to be void for uncertainty as to the persons entitled to receive the same, or as to the object to which the same may be applied, then in any such case the Commission shall be the beneficiary and shall be entitled to receive, administer and dispose of the same in such manner as the Commission may deem expedient. 1917, c. 27, s. 60, *part*; 1919, c. 25, s. 34 (1).

(a) This subsection shall apply and take effect notwithstanding that by the terms of any such will the executor or trustee thereunder is directed to distribute such devise or bequest in the discretion of such executor or trustee. 1919, c. 25, s. 34 (2)..

Acquiring lands for cemetery purposes.

8. The Commission may acquire lands by purchase or expropriation or otherwise for the purposes of a cemetery for the burial of persons belonging to any of the classes mentioned in section 4 and with respect to such cemetery shall possess all the powers of an owner of a cemetery under *The Cemetery Act*. 1917, c. 27, s. 60. *Part*.

Rev. Stat., c. 317.

Aid to widows.

9. The Commission has and shall be deemed to have had since the date of its establishment, power to grant assistance, financial or otherwise, to the widows of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, being chapter 3 of the Acts passed in the sixth year of His Majesty's reign, who have remained unmarried or who have remarried and in the opinion of the Commission need help, and all such assistance, financial or otherwise heretofore given by the Commission is declared to be legal and valid for all intents and purposes. 1922, c. 40, s. 2.

Powers of Commission as to children of soldiers.

10. With respect to the child of any person who has served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war, the Commission shall have and may exercise and perform all the rights, powers and duties of a children's aid society as provided by *The Children's Protection Act*. 1920, c. 29, s. 2.

Rev. Stat., c. 279.

Establishing children's shelters.

11. The Commission may establish children's shelters or homes for children coming under its care by virtue of this Act and may apply any of the funds of the Commission for such purpose. 1920, c. 29, s. 3.

**12.** The Commission may enter into an agreement with any person who served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war with Germany, or who was the wife or husband of a person so serving before the cessation of hostilities, whereby the Commission may accept the custody of any child or children of such applicant upon being satisfied that the circumstances of the applicant are such that the applicant is unable to properly maintain and care for such child or children. 1920, c. 29, s. 4.

Agreement  
to accept  
custody of  
child.

**13.** The members of the Commission shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission shall not render him ineligible as a member of the Assembly, nor disqualify nor render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding. 1916, c. 3, s. 8.

Services  
to be  
honourary.

Rev. Stat.,  
c. 12.

**14.** The Commission acting as a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education of Ontario, or with any educational authority or institution, for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 4 who, as a result of wounds, disease or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation, and for such other training, instruction and assistance as the Commission may deem advisable. 1916, c. 3, s. 9.  
*Amended.*

Arrange-  
ments for  
technical  
instruction  
for incapa-  
citated  
soldiers.

**15.** The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers who have returned to Ontario since the war, with a view to securing their well-being, as may be deemed advisable. 1916, c. 3, s. 10.

Further  
powers and  
duties may  
be conferred  
and  
imposed.

**16.** The Acts and parts of Acts set out in schedule "B" to this Act are hereby repealed.

Repeal.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## SCHEDULE "A."

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor the 10th day of November, A.D. 1915.

Upon the recommendation of the Honourable the Provincial Secretary, the Committee of Council advise that a Commission be issued appointing William David McPherson, K.C., M.L.A., and John B. Laidlaw, Robert J. Christie and William Banks, Esquires, Toronto; the Honourable George Gordon, North Bay, Senator; Kenneth W. McKay, St. Thomas, County Clerk; William F. Nickle, K.C., M.P., Kingston; George Lynch Staunton, K.C., Hamilton; Ernest G. Henderson, Windsor, Esquire, and W. L. Best, Ottawa, Esquire, Commissioners to constitute a Central Provincial Committee and a Branch Sub-Committee of The Military Hospitals Commission to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the war, and to assist, advise and co-operate with the said The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing; and the said William David McPherson to be *ex officio* a Member of the said The Military Hospitals Commission, and to be Chairman of the said Commission, and Charles Norris Cochrane, Toronto, Esquire, to be Secretary thereof.

Certified. (Sgd.) J. LONSDALE CAPREOL,  
*Clerk, Executive Council.*

1916, c. 3, sched. "A."

## SCHEDULE "B."

## SCHEDULE OF REPEALED ACTS.

*The Soldiers' Aid Commission Act* (1916, chapter 3), sections 1, 4, 5, 6, 8, 9 and 10, and Schedule.

*The Statute Law Amendment Act, 1917* (1917, chapter 27), section 60.

*The Statute Law Amendment Act, 1919* (1919, chapter 25), section 34.

*The Soldiers' Children's Protection Act, 1920* (1920, chapter 29), The Whole.

## CHAPTER 5.

## An Act to amend The Election Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*. Short title.

2. Section 1 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 1,  
amended.

(ii) "Mariner" shall mean and include any man or woman "Mariner," who is serving in His Majesty's naval forces of Great Britain or Canada, or is serving in any capacity on a mercantile vessel registered at a British port at the time of the issue of a writ for any provincial election.

3. Section 20 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 20,  
amended.

(d) A mariner within the meaning of this Act.

4. Subsection 3 of section 54 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 8, s. 54,  
subs. 3,  
repealed.

(3) The number and location of the polling places shall in all cases be subject to the approval of the board and the chairman of the board shall certify in writing that the number of polling places and their location are necessary and proper. Number and  
location of  
polls.

(3a) Where it is found that the returning officer has established a polling place which is unnecessary to accommodate the voters and that such polling place has not been approved by the board, the cost to the Province of establishing such poll and the conduct of the polling thereat shall be borne by the returning officer and deducted from his fee. Cost of  
unnecessary  
poll.

Rev. Stat.,  
c. 8, s. 57,  
amended.

**5.** Section 57 of *The Election Act* is amended by adding thereto the following subsection:

Imperfect  
nomination  
paper.

- (7) The returning officer shall not reject any nomination paper which is received before the time fixed for the close of nomination in the proclamation of the returning officer and which is signed by at least one hundred persons purporting to be residents of and electors in the electoral district, and if any nomination paper appears to the returning officer for any reason to be invalid he shall not reject the same until he has communicated the facts to the Chief Election Officer and the Chief Election Officer has in writing signed by him, authorized such rejection, and for the purposes of communicating with the Chief Election Officer the returning officer shall adjourn the proceedings until the hour of one o'clock on the next day following, when he shall at the same place announce the decision of the Chief Election Officer.

Rev. Stat.,  
c. 8, s. 71,  
repealed.

**6.** Section 71 of *The Election Act* is repealed and the following substituted therefor:

Weight of  
paper.

- 71.—(1) The paper used for printing the ballot papers shall be of the following weight; if foolscap paper is used it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used it shall be of a weight of not less than twenty-five pounds to the ream.

Paper to  
show secret  
marking.

- (2) The paper used shall contain a secret thread or other mark so placed as to run through each column of ballots ruled on every sheet of the ballot paper furnished.

Security  
to be  
furnished  
by manu-  
facturer.

- (3) The manufacturer of the paper shall be required to furnish security in such amount as may be fixed by the Lieutenant-Governor in Council, that none of the paper manufactured for use in printing the ballots shall be supplied by him to any other person than the King's Printer, and upon the delivery of the paper the number of sheets shall be counted by the King's Printer and a receipt therefor in writing signed by the King's Printer shall be given to the manufacturer.

King's  
Printer to  
furnish  
paper to  
Clerk of the  
Crown in  
Chancery.

- (4) The paper required for the printing of the ballot papers shall be furnished to the Clerk of the Crown



in Chancery by the King's Printer from time to time as may be required, and the King's Printer and the Clerk of the Crown in Chancery shall check the number of sheets of ballot paper so furnished and the Clerk of the Crown in Chancery shall give to the King's Printer a receipt in writing signed by him.

- (5) The Clerk of the Crown in Chancery shall personally deliver or transmit by express in a box or boxes locked and sealed with his seal to the returning officer for each electoral district a sufficient number of sheets of the paper for the printing of the ballots and the returning officer shall upon receipt of the same count the sheets and forward his receipt therefor (Form 14a) to the Clerk of the Crown in Chancery. Supply to be furnished to returning officer.
- (6) The returning officer shall procure to be printed on the paper furnished to him, as hereinafter provided, a sufficient number of ballot papers, not being less than the total number of voters in the electoral district. Returning officer to see to printing of ballots.
- (7) The printer shall count the sheets of ballot paper delivered to him and shall give a receipt therefor (Form 14b) to the returning officer, and the returning officer shall transmit the same with the other papers relating to the election to the Clerk of the Crown in Chancery. Returning officer to give receipt for ballot paper.
- (8) The names of the candidates, alphabetically arranged in the order of their surnames, shall be printed on the ballot paper, and it shall be provided with a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in Form 16. Form of ballot.
- (9) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil, and shall be bound or stitched in books containing twenty-five, fifty or one hundred ballot papers, as may be most suitable for supplying the polling subdivisions proportionately to the number of voters in each. Numbering ballot papers.
- (10) All ballot papers shall be of the same description and as nearly alike as possible. Uniformity.

Printer's  
name.

- (11) The ballot papers shall bear upon the back the name of the printer who prints them.

Affidavit of  
printer.

- (12) The printer shall with the ballot papers deliver to the returning officer an affidavit (Form 15).

Rev. Stat.,  
c. 8, s. 72,  
amended.

Record  
of numbers  
on ballots.

7. Section 72 of *The Election Act* is amended by adding thereto the following words: "He shall when delivering the same make a record of the numbers on the ballots delivered to each deputy returning officer and this record shall be returned to the Clerk of the Crown in Chancery along with other documents required to be returned to him."

Rev. Stat.,  
c. 8, s. 73,  
amended.

8. Section 73 of *The Election Act* is amended by adding thereto the following subsection:

Receipt to  
be given  
by deputy  
returning  
officer.

- (2) Immediately upon receipt of the ballot papers from the returning officer, the deputy returning officer shall count the same and forward the receipt therefor (Form 14c) to the returning officer.

Rev. Stat.,  
c. 8,  
amended.

9. *The Election Act* is amended by adding thereto the following section:

Custody of  
ballot  
paper.

- 73a. The Clerk of the Crown in Chancery shall cause a check to be made before each general election and at least once in every year, of all ballot paper furnished to him and such paper shall be kept at all times under lock and key and no one shall have access to the place in which it is kept except the Clerk of the Crown in Chancery or some person acting directly under his authority.

Rev. Stat.,  
c. 8, s. 74,  
amended.

10. Section 74 of *The Election Act* is amended by adding thereto the following subsections:

Alphabetical  
list to be  
prepared by  
clerk of the  
peace.

- (3) Where the Chief Election Officer so directs the clerk of the peace shall prepare for revision by the revising officers as provided in *The Voters' Lists Act*, a list, prepared alphabetically or by street numbers, containing the names of all persons entitled to vote at elections to the Legislative Assembly in the polling subdivision as shown upon Part I and Part III of the voters' list, and notwithstanding anything in *The Voters' Lists Act* contained the list so prepared shall be the list to be revised by the revising officers and shall be posted up, and revised, and certified in the same manner as lists prepared, revised and certified under *The Voters' Lists Act*.

List to be  
set up in  
type.

- (4) To avoid expense to the municipalities concerned and to the Province, after the preparation of the

list

list the Chief Election Officer may direct that the same shall be typewritten, set up in type and the type kept standing until after the revision and the changes made upon the revision incorporated in the list.

- (5) Where the lists are prepared and set up as provided in subsections 3 and 4 it shall be the duty of the board to apportion the expense of preparing, printing and revising the same between the municipalities and the Province in such manner as the board may deem most equitable. Apportioning expenses of preparing list.
- (6) The lists as so prepared, revised and certified shall be the polling lists to be delivered to the deputy returning officers for use at the polling places. Polling list.
- (7) Where it appears to the Chief Election Officer that it is impracticable to carry out any of the provisions of the preceding subsections of this section, he may cause such arrangements to be made for preparing the polling list as he may deem proper under the circumstances, and it shall be the duty of the clerk of the peace to carry out any directions or instructions given by the Chief Election Officer under this section, but nothing in this section shall authorize any name to be placed upon or omitted from the polling list which is not contained in Part I or Part III of the voters' list prepared by the clerk of the municipality except so far as may be necessary to give effect to the changes made upon the revision of the list by the revising officer. Special directions by Chief Election Officer when necessary.

**11.** Subsection 4 of section 86 of *The Election Act* is amended by adding after the word "opened" in the second line the words "Form 20a." Rev. Stat., c. 8, s. 86, subs. 4, amended.

**12.** *The Election Act* is amended by adding thereto the following section: Rev. Stat., c. 8, amended.

- 86a.—(1) Where the name of a person is entered on the voters' list for a polling subdivision as entitled to vote at elections to the Assembly and such person is a mariner he shall be entitled to vote by proxy as in this section provided. Mariner's right to vote by proxy.
- (2) A mariner may appoint in writing (Form 20b) a proxy who shall be the wife, husband, parent, brother, sister or child of the mariner, of the full age of twenty-one years and an elector entitled to vote in the electoral district in which the mariner is qualified to vote. Appointment of proxy.

Term  
of appoint-  
ment.

- (3) The appointment of a proxy shall name the person authorized to vote at an election for which a writ has been issued for the electoral district and no appointment of a proxy shall be valid unless it is made after the date of the issue of the writ of election nor shall it remain in force after the return of such writ.

Application  
of proxy to  
be entered  
on list.

- (4) A person who has been appointed a voting proxy may apply to the revising officer at the sittings held for the revision of the lists in accordance with the provisions of *The Voters' Lists Act* in the municipality in which the mariner is entitled to vote, to be entered upon such list.

Evidence to  
be taken by  
revising  
officer.

- (5) The revising officer shall take evidence on oath as to the right of the mariner to vote in the subdivision of the municipality upon the list of which his name is entered and as to the qualifications of the voting proxy, and if he finds that the mariner is duly qualified and that the voting proxy is qualified to act for him, he shall give a certificate across the face of the appointment of such voting proxy to that effect (Form 20c), and shall cause the name of the voting proxy to be entered on the voters' list after the name of the mariner.

Not more  
than one  
proxy.

- (6) No more than one person shall be appointed a voting proxy on behalf of a mariner at the same election.

Oath  
on voting.

- (7) A ballot paper shall not be delivered to a person who claims to vote as a voting proxy unless he produces his appointment as a voting proxy to the deputy returning officer with the certificate of the revising officer thereon as provided in subsection 5, and takes the oath (Form 20d).

Record  
of voting by  
proxy.

- (8) The deputy returning officer shall record in the poll book the fact that the mariner voted by proxy, showing the name of the proxy, and shall file the proxy and certificate with the election papers and return the same to the returning officer in the envelope provided for that purpose.

Forms and  
regulations.

- (9) The Lieutenant-Governor in Council may prescribe any further or other forms which he may deem necessary for the purposes of this section and may make regulations as to the mode in which proxies may be given and generally for the better carrying into effect of the provisions of this section and preserving the secrecy of voting in pursuance thereof.

- (10) A person who has been appointed as a voting proxy shall be entitled to vote in his own right in the electoral district notwithstanding that he has voted as a proxy for a mariner. Proxy may vote in own right.

- (11) Every person who,—

Offences

- (a) attempts to vote at an election otherwise than by means of such voting proxy while the appointment of such voting proxy is in force; or Voting after appointing proxy.
- (b) votes or attempts to vote at any election under the authority of an appointment as a voting proxy when he knows or has reasonable grounds for supposing that such appointment has been cancelled or that the voter by whom the appointment has been made is dead or no longer entitled to vote, Proxy voting after annulment.

shall be guilty of an illegal practice within the meaning of this Act and shall incur a penalty of \$200 and shall be imprisoned for six months. Penalty.

**13.** Subsection 1 of section 143 of *The Election Act* is amended by inserting after the word "covering" in the third line thereof the words "securely locked." Rev. Stat., c. 8, s. 143, subs. 1, amended. Box in which papers returned.

**14.** Section 143 of *The Election Act* is amended by adding thereto the following subsections: Rev. Stat., c. 8, s. 143, amended.

- (5) The returning officer shall at the same time or within ten days thereafter transmit to the Clerk of the Crown in Chancery in a box or other covering, securely locked, and sealed with the seal of the returning officer, all the packages of ballot papers not distributed by him to the deputy returning officers, all ballot paper returned to him by the printer, all documents, papers, stationery and supplies in his possession, all receipts for paper given to him for ballot paper, and a record of all ballot paper supplied to him by the Clerk of the Crown in Chancery and a complete record of its disposal. Returning unused material.
- (6) The returning officer shall paste upon the box mentioned in subsection 5, a label with the words "Unused Election Material" and also the name of the electoral district and the date of the election written or printed thereon. Endorsement on package.

Rev. Stat.,  
c. 8, Sched.  
amended.

**15.** The Schedule of Forms to *The Election Act* is amended by adding thereto Forms 14*a*, 14*b* and 14*c* set out in the Schedule to this Act; by striking out Form 15 in the Schedule to *The Election Act* and inserting in lieu thereof Form 15 set out in the Schedule to this Act; by adding to the Schedule to *The Election Act* Forms 20*a*, 20*b*, 20*c* and 20*d* set out in the Schedule to this Act, and by striking out Form 32 in the Schedule to *The Election Act* and inserting in lieu thereof Form 32 as set out in the Schedule to this Act.

Commence-  
ment of Act.

**16.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE OF FORMS

### THE ELECTION ACT

#### FORM 14*a*

(*Referred to in section 71 (5)*)

Receipt of Returning Officer for ballot paper received from Clerk of the Crown in Chancery.

I,....., Returning Officer for the Electoral District of ..... do hereby acknowledge that I have this day received from the Clerk of the Crown in Chancery..... sheets of ballot paper, ..... ballots to the sheet, total weight..... the same being for use at the vote to be taken on the..... day, of....., 19...

Dated this ..... day of....., 19...

.....  
Returning Officer.

### THE ELECTION ACT

#### FORM 14*b*

(*Referred to in section 71 (7)*)

Receipt of Printer for ballot paper received from Returning Officer.

I (*or We*) do hereby acknowledge receipt of..... sheets of ballot paper, ..... ballots to the sheet, from the Returning Officer for the Electoral District of..... the same to be printed as per instructions for use at the vote to be taken on the..... day of....., 19...

Dated this ..... day of....., 19...

.....  
Printer.

THE

## THE ELECTION ACT

## FORM 14c

*(Referred to in section 73 (2) )*

Receipt for ballot papers received from Returning Officer.

*(Count your ballots, fill in this Form and forward at once to Returning Officer).*

....., 19...

I, ....., Deputy Returning Officer for Polling Subdivision No. .... in the Electoral District of ..... hereby acknowledge that I have received from Mr. .... Returning Officer for the said Electoral District, ..... books of ballot papers and have carefully examined and counted them and find that they contain ..... ballots.

.....  
*Deputy Returning Officer.*

## THE ELECTION ACT

## FORM 15

*(Referred to in Section 71 (12) )*

## AFFIDAVIT OF PRINTER

Electoral District of } I,  
 } swear (or solemnly affirm)

(1) That by direction of the Returning Officer for the above named Electoral District, I printed the ballot papers for use at the election to be held on the ..... day of ..... 19..., *(insert date of polling)* on the paper furnished by him for that purpose.

(2) That the annexed form shows the description of the ballot papers printed by me as aforesaid.

(3) That I supplied the Returning Officer with ..... of such ballot papers.

(4) That I returned to the Returning Officer ..... spoiled ballot papers and ..... unused sheets of ballot papers.

(5) That no other such ballot papers were printed by or supplied by me to anyone.

Sworn (or affirmed) before me at the  
 of ..... this  
 day of ..... 19 .

A Commissioner, etc.  
*(or as the case may be).*  
*see section 9.*

*(The Returning Officer will be particular to see that copy of ballot paper is annexed).*



## THE ELECTION ACT

FORM 20a

(Referred to in section 86 (4) )

Notice of holding an advance poll (or polls) for railway employees, sailors and travellers.

Electoral District of.....

Notice is hereby given that pursuant to the provisions of *The Election Act* (section 86), a poll will be opened on the.....days of.....from the hours of two o'clock in the afternoon until five o'clock in the afternoon and from seven o'clock in the afternoon until ten o'clock in the afternoon of each of the several days.

The polling place for the Electoral District of.....will be located at.....for the purpose of receiving the votes of railway employees, sailors and travellers whose employment is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for the election.

The ballot box will be opened and the votes counted at.....o'clock in the.....of.....the.....day of.....at the said place.

Dated at.....this.....day of....., 19...

.....  
Returning Officer.

## THE ELECTION ACT.

FORM 20b.

(Referred to in Section 86a (2) ).

I.....of the.....of.....in the County of.....in the Province of Ontario, being a voter entered on the Voters' List, with a right to vote at the pending Ontario Election in the Municipality of.....in the Electoral District of.....in the Province of Ontario, hereby nominate and appoint.....of.....in the County of.....as my true and lawful  
(occupation)  
attorney for me and in my name to vote at the said Election;

AND I HEREBY CERTIFY that I am a British subject, of the full age of twenty-one years, and otherwise entitled to vote at the said Election.

IN WITNESS WHEREOF I have hereunto set my hand on board the Steamship.....this.....day of....., A.D. 19....

WITNESS:

}

## THE ELECTION ACT.

FORM 20c.

*(Referred to in Section 86a (5).)*

## CERTIFICATE OF REVISING OFFICER.

I, *A.B.*, the revising officer duly appointed under *The Voters' Lists Act* for the purpose of revising the voters' list to be used at the election now pending for the Electoral District of ..... do certify that *C.D.*, a voter entered on the voters' list and having the right to vote at the pending election in the Municipality of ..... in the Electoral District of ....., duly appeared before me at my sittings for the revision of the lists for the Municipality of ....., and that upon the evidence there tendered by him (*or on his behalf*) I find that *E.F.*, named in this appointment as a mariner, is duly qualified to vote at the said pending election, and that the said *C.D.* is a person duly qualified to act as proxy for the said mariner and to vote on his behalf at the said election.

Dated this ..... day of ....., 19....

.....  
*Revising Officer.*

## THE ELECTION ACT.

FORM 20d.

*(Referred to in Section 86a (7).)*FORM OF OATH TO BE ADMINISTERED TO A PROXY VOTING  
FOR A MARINER.

You swear—

(1) That you are a proxy for the person named by the name of ..... in the polling list now shown to you and that the said mariner is the person executing said proxy.

(2) That the said mariner is of the full age of twenty-one years.

(3) That the said mariner is a British subject.

(4) That the said mariner is not a citizen or subject of any foreign country.

(5) That the said mariner has resided within the Dominion of Canada for the twelve months last past, except for temporary absences as a mariner.

(6) That the said mariner has resided in the electoral district continuously for the two months last past, and is now actually resident or domiciled therein except for such temporary absences as a mariner.

(7) That the said mariner is not disqualified from voting at this election and is entitled to vote at this election and at this polling place.

(8) That you verily believe that the said mariner has not voted before at this election or at any other polling place.

(9) That you verily believe that the said mariner has not received anything or has anything been promised him directly or indirectly to induce him to vote at this election or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.

(10) That you verily believe that the said mariner has not directly or indirectly promised anything to any person to induce him to vote or refrain from voting at this election.

(11) That you have not been paid or promised or received anything for or in connection with voting on behalf of the said mariner and that you verily believe that the said mariner executed the said proxy in good faith.

(12) That you are voting on his behalf in good faith at this election.

So help you God.



## CHAPTER 6.

## An Act respecting Political Contributions.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Political Contributions Act, 1929*.

Companies  
not to con-  
tribute for  
election  
purposes.

**2.** No unincorporated company or association and no incorporated company or association other than one incorporated for political purposes alone shall, directly or indirectly, contribute, loan, advance, pay, or promise or offer to pay any money or its equivalent to, or for, or in aid of any candidate at an election, or to, or for, or in aid of any political party, committee or association, or to or for or in aid of any company incorporated for political purposes, or to, or for, or in furtherance of any political purpose whatever, or for the indemnification or reimbursement of any person for moneys so used.

Penalty for  
violation  
of Act.

**3.** Every director, shareholder, officer, attorney or agent of any company or association violating the provisions of this section, or who aids, abets, advises or takes part in any such violation, and every person who asks or knowingly receives any money or its equivalent in violation of the provisions of this section shall be guilty of a corrupt practice within the meaning of *The Election Act* and shall incur a penalty of not less than \$100 nor more than \$2,000 and shall be imprisoned for a period of not less than three months nor more than twelve months.

Rev. Stat.  
c. 8.

Rev. Stat.  
c. 10  
repealed.

**4.** *The Political Contributions Act*, being chapter 10 of the Revised Statutes of Ontario, 1927, is repealed.

Commence-  
ment of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 7.

## An Act to amend The Public Service Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Service Act, 1929.* Short title.
2. Part III of *The Public Service Act* is amended by adding thereto the following section: Rev. Stat.  
c. 16,  
Part III,  
amended.
  63. Where the salaries of members of a board or commission appointed by the Crown cease to be paid out of the Consolidated Revenue Fund or out of any sum appropriated for that purpose by the Legislature, any such member who has contributed to the Fund shall be entitled to the return of his contributions with interest. Return  
of contribu-  
tions to  
Super-  
annuation  
Fund.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 8.

## An Act to amend The Sheriffs' Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title      **1.** This Act may be cited as *The Sheriffs' Act, 1929.*

Rev. Stat.,  
c. 18, s. 22,  
repealed.      **2.** Section 22 of *The Sheriffs' Act* is repealed.

Rev. Stat.,  
c. 18, s. 40,  
repealed.      **3.** Section 40 of *The Sheriffs' Act* is repealed. (*See provisions in Public Officers' Fees Act, 1929.*)

Commence-  
ment of Act.      **4.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 9.

## An Act to amend The Public Officers' Fees Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Public Officers' Fees Act*, Short title.  
1929.

**2.** Section 5 of *The Public Officers' Fees Act* is amended by Rev. Stat.,  
c. 19, s. 5,  
amended. striking out the figures "\$3,500" where they occur in the fourth line and inserting in lieu thereof the figures "\$4,000."

**3.** Section 6 of *The Public Officers' Fees Act* shall apply Application  
of s. 6. only to a sheriff who is in office at the date of the commencement of this Act.

**4.—(1)** Section 7 of *The Public Officers' Fees Act* is repealed Rev. Stat.,  
c. 19, s. 7,  
repealed and the following substituted therefor:

**7.—(1)** Every local registrar of the Supreme Court of Ontario, deputy clerk of the Crown, deputy registrar, county court clerk and registrar of the surrogate court, whether holding one or more of the above offices, and every sheriff shall be entitled to retain to his own use in each year his net income up to \$3,000.

**(2)** On the net income of each year over \$3,000, he Percentages  
payable on  
net income. shall pay to the Treasurer of Ontario the following percentages:

(a) On the excess over \$3,000 up to \$3,500,  
20 per centum;

(b) On the excess over \$3,500 up to \$6,000,  
50 per centum;

(c) On the excess over \$6,000, 90 per centum.

**(2)** Subsection 1 shall not apply in the case of a sheriff Application  
of subs. 1. who is in office at the date of the commencement of this Act.

Rev. Stat.,  
c. 19, s. 8,  
subs. 1,  
amended.

**5.**—(1) Subsection 1 of section 8 of *The Public Officers' Fees Act* is amended by striking out the figures "\$2,000" in the third line and inserting in lieu thereof the figures "\$3,000."

Rev. Stat.,  
c. 19, s. 8,  
subs. 2, cl. a,  
amended.

(2) The clause lettered *a* in subsection 2 of the said section 8 is amended by striking out the figures "\$2,000" in the first line and inserting in lieu thereof the figures "\$3,000."

Rev. Stat.,  
c. 19,  
amended.

**6.** *The Public Officers' Fees Act* is amended by adding thereto the following section:

Minimum  
salary for  
certain  
officers.

12. Where it appears by a return to the Lieutenant-Governor or to any department of the Government that in any year a sheriff, local registrar of the Supreme Court of Ontario, deputy clerk of the Crown, deputy registrar, county or district court clerk, and registrar of the surrogate court, whether holding one or more of the above offices, has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which does not exceed \$1,800, there may, on the report of the Inspector of Legal Offices, be paid to such officer out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 10.

## An Act to amend The Succession Duty Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Act, 1929*. Short title.

2. Subsection 2 of section 11 of *The Succession Duty Act*, Rev. Stat., c. 26, s. 11, subs. 2, amended. as amended by section 3 of *The Succession Duty Act, 1928*, is further amended by striking out all the words after the word "duty" in the ninth line and substituting therefor the following words:—

"but this shall not apply to any payment of insurance money by an insurance corporation to a preferred beneficiary, as defined by subsection 2 of section 140 of *The Insurance Act*, under a contract of life insurance where the total amount so paid to such preferred beneficiary by such insurance company does not exceed \$10,000, provided such payment is not made until after the expiration of ten days from the mailing of a notice by the insurance corporation to the Treasurer of Ontario, and no objection has been taken on behalf of the Treasurer to such payment. Exception as to prohibition of transfer of property before payment of duty.

3. Subsection 1 of section 16 of *The Succession Duty Act*, Rev. Stat., c. 26, s. 16, subs. 1, amended. as amended by section 4 of *The Succession Duty Act, 1928* is further amended by inserting after the word "annuity" in the twelfth line thereof the words "or income," and by inserting after the word "annuity" in the fifteenth line thereof the words "or income," and by inserting after the word "annuitant" in the nineteenth line thereof the words "or tenant of income," and by inserting after the word "annuity" in the twenty-first line the words "or income."

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 11.

## An Act to make further provision for Northern Ontario Development.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Northern Ontario Appropriation Act, 1929*.

\$5,000,000 appropriated for Northern Ontario Development.      **2.** In addition to the amounts provided by *The Northern and Northwestern Ontario Development Acts*, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of Five Million Dollars, and the same shall be applied for the purposes set out in the said Acts and in *The Soldiers' and Sailors' Land Settlement Acts* or any of them.

Commencement of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 12.

## An Act to amend The Northern Development Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Development Act*, 1929. Short title.

2. Section 21 of *The Northern Development Act* is amended by adding thereto the following clause: Rev. Stat., c. 36, s. 21, amended.

- (a) The commissioner may assign the loan debt or charge and convey the property charged, and the person to whom any such assignment is made shall have, and in his own name may exercise and enforce all rights, privileges, powers and remedies in the same manner and to the same extent as if the said lien or charge were a mortgage made under *The Mortgages Act* and assigned to such person. Assignment of charge for loan debt. Rev. Stat., c. 140.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 13.

## The Pulpwood Conservation Act, 1929.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Pulpwood Conservation Act, 1929*.

Inter-pretation     **2.** In this Act,—

"Company."     (a) "Company" shall mean and include a company, operating in Ontario in connection with the holding of pulpwood or pulp lands, or the manufacture of such wood into pulpwood, paper of any kind or other product of pulpwood, and a firm, partnership or individual carrying on such work in Ontario;

"Department."     (b) "Department" shall mean Department of Lands and Forests;

"Minister."     (c) "Minister" shall mean Minister of Lands and Forests;

"Pulpwood."     (d) "Pulpwood" shall mean and include any form of timber of any kind or variety capable of being used in the manufacture or production of pulp or paper of any kind whatsoever.

Return to be made in 1929.     **3.** Every company shall on or before the 1st day of September, 1929, file with the Department a statement, in duplicate, executed under the seal of such company and signed by the executive officers thereof and by the forester of such company, (if any), and such statement shall contain the following information, namely,—

Particulars in return.     1. The full name of the company, and the names of all subsidiary companies, or holding companies, carrying on business in connection with the said company;

2. The date of incorporation of the company and a statement of the authority under which said company was incorporated;

3. The names of all companies, associations, syndicates or other organizations taken over by the said company or from whom the said company has purchased or acquired pulp lands or pulpwood in the Province of Ontario;
4. The authorized capital of the company;
5. The paid up capital of the company;
6. Particulars of all bond issues or debentures of the company;
7. Particulars and a description of all leases, areas, concessions, grants, or lands held under contract, containing pulpwood in Ontario, either freehold or leasehold, or held under any license or contract from the Crown in the right of Ontario;
8. Particulars of any other lands in Ontario containing pulpwood held in fee or under lease or contract from anybody other than the Crown in the right of Ontario;
9. Particulars of the various plants of the company in Ontario showing the installed capacity of such plants;
10. Particulars of the quantity of pulpwood used in each of the years 1919 to 1928 inclusive in each of the plants of the company in Ontario;
11. Statement and particulars of the amount of pulpwood cut by the company from its various holdings in Ontario during the said years 1919 to 1928 inclusive;
12. Statement and particulars of the amount of pulpwood purchased by the company from settlers in Ontario in the said years 1919 to 1928 inclusive;
13. Statement and particulars of the amount of pulpwood purchased by the company from sources outside Ontario and brought into Ontario during the said years 1919 to 1928 inclusive;
14. Statement and particulars of the kinds and quantities of pulpwood, pulp, paper or products from pulpwood exported, with the names of the countries to which such kinds and quantities were exported during the years 1919 to 1928 inclusive;



15. A statement with particulars of the amount of pulp, paper craft or other commercial products from pulpwood of various kinds produced from the various plants of the company in Ontario in the said years 1919 to 1928 inclusive;
16. A map showing all the areas or holdings of the company in Ontario and showing thereon the cut over areas and the areas containing standing timber and the nature, character and extent thereof;
17. An estimate of the quantity of pulpwood showing in detail the various kinds thereof owned by the company in Ontario, showing the location of such holdings and certified to by a forester, and
18. A plan or scheme in detail prepared by the said company providing for the placing of its supply of pulpwood on a sustained yield basis so that the consumption of pulpwood shall not exceed the production of pulpwood in any year, and with the intention that the said industry may be placed on a permanent basis with respect to raw material. The said plan may provide for a period of five years in which the plan or scheme is to become effective and shall set out the details of such plan in full and the source and means of supply and the annual consumption to be provided for the company. The said plan shall also show the rate of natural growth on which it is based and the provision it is proposed to make for further supplies so that the company's supply of raw material may be maintained on such sustained yield basis.

Extending  
time for  
filing return.

4. The Minister may extend the time for filing such statement for any company or companies upon receipt of an application therefor, for such period of time as in his opinion may be necessary and proper under the circumstances, but such extension shall not extend beyond the 1st of September, 1931.

Plan for  
sustained  
yield of pulp-  
wood in  
Ontario.

5. On receipt of the said statements, the Department shall study the same individually and collectively and may submit the same to the Forestry Board for approval or recommendation, and, if necessary, shall hold conferences with the officers and foresters of the companies and with the officers and foresters of other provinces from time to time, and shall devise some general plan to place the pulpwood supply of Ontario on a sustained yield basis so that the industry may have an assured source of supply. If it is considered necessary the Province

may be divided into sections for the purpose of working out the said general plan or a plan for any individual company. The said plan or plans may be brought into force at one time or at different times as may be found necessary. The said plan or plans may provide for periodic revision according to the conditions existing from time to time. Upon the completion of a general plan for the Province or upon the completion of a plan for any area or any individual company, the same may be authorized by an order-in-council and upon being so authorized shall have the same effect as if it were set out in detail in this Act.

6. Notwithstanding anything contained in any general or special Act or in any license, lease, concession, grant, agreement or other document under which the right to cut pulpwood is claimed or exercised the Minister shall have authority to fix the size and kind of trees and timber which may be cut by such company, and such authority may be exercised in such part of Ontario and for such time and on such terms and conditions as the Minister may direct and any directions so given may in like manner be varied from time to time. Where no plan has been authorized, or where in the opinion of the Minister an authorized plan is not being properly carried out, the Minister shall have the further right and authority to direct and control the location, sequence or extent of cuttings and to limit the cutting from year to year, by any company, for the purpose of conserving the source of supply and placing Ontario on a sustained yield basis.

Authority of  
Minister as  
to control of  
cutting.

7. Upon the recommendation of the Minister the Lieutenant-Governor in Council may authorize the establishment of a nursery or nurseries for the growing and production of spruce and other pulpwoods, and for the supplying of the same to companies for planting for the purpose of increasing the pulpwood supply of Ontario, and nursery pulpwood stock may be supplied to the companies on such terms and conditions as may be fixed by order-in-council from time to time.

Nurseries.

8. For the purpose of carrying out any authorized working plan the Lieutenant-Governor in Council may set aside for any company any townships, berths, or locations suitable and proper for the planting of nursery pulpwood stock and may require the company to plant a certain quantity of stock each and every year and may contain provision for the proper planting and care thereof by the company, and such further provisions as may be necessary so that the company may be entitled to the growth thereof as additions to their supply of raw material, upon such terms and conditions as may be set out in the order-in-council.

Planting  
nursery  
pulpwood  
stock.

Provision  
for cost, of  
work.

**9.** The Lieutenant-Governor in Council may by order-in-council provide for a source of revenue for the purpose of carrying out the provisions of this Act and placing the supply of pulpwood on a sustained yield basis and an addition may be made to the dues payable by all companies in Ontario of a sum not exceeding twenty-five cents per cord on such quantities as are cut and returned by the company under the terms of its contract with the Crown, for the general expenses of the Department in the conservation of pulpwood and the carrying out of this Act.

Annual  
return of  
company.

**10.** Every company shall on or before the 1st day of *August* in each year file with the Department a statement in the form prescribed by the Department showing the operations of the company for the previous year expiring on the 1st of May and containing such information, particulars and details as may be prescribed and required by the Department from time to time.

Regulations.

**11.** Upon the recommendation of the Minister the Lieutenant-Governor in council may make such regulations as may be deemed necessary to carry out the true intent and purpose of this Act.

Penalty.

**12.** Every company guilty of any breach of the provisions of this Act, or of the regulations made thereunder, or of any direction or order of the Minister shall incur a penalty or not less than one hundred dollars per day for each and every day of such neglect, default or breach, to be recoverable by the Minister by action, suing in his name of office in any court of competent jurisdiction, and, in addition, any breach of this Act shall be regarded as a breach of the original contract or lease under which the company is carrying on operations, and the said company shall, in addition, be liable for all the penalties contained and set out in such contract or agreement.

Commence-  
ment of  
Act.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 14.

## The Provincial Forests Act, 1929.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Forests Act*, Short title.  
1929.

**2.** The several tracts of land described in Schedule "A" to this Act are hereby declared to be and are set apart as provincial forests under the names set out in the said schedule. Declaration of lands set apart.

**3.** The Lieutenant-Governor in Council may by proclamation establish and set apart any other portions of the public domain as provincial forests, and may add to any provincial forests hereby or hereafter established. Power to set apart provincial forests.

**4.** From and after the date hereof as to the provincial forests set out in the schedule hereto, and from and after the date of any proclamations issued under the authority of this Act, no land within any such forests shall be located, sold, leased or otherwise disposed of for the purposes of agricultural settlement. Lands reserved, not to be located, sold, etcetera.

**5.—(1)** Every provincial forest shall be under the control and management of the Minister of Lands and Forests, and the Lieutenant-Governor in Council may make regulations for its protection, care and management. Control and management.

**(2)** Any regulations passed under the authority of this Act shall be published for four consecutive weeks in the *Ontario Gazette*, and shall immediately thereafter have the force of law and shall be laid before the Assembly within the first two weeks of the Session next after the making thereof. Publication of regulations.

**6.** The Lieutenant-Governor in Council may appoint a forester in charge of provincial forests, whose duty it shall be under the Minister of Lands and Forests to carry out any Appointment of provincial forest officer.

regulations

regulations passed under this Act and to have charge, control and management of the provincial forests hereby established and any forests hereafter established, or any additions thereto, and it shall be the duty of such officer to preserve the said forests according to the best forestry practice, and to gradually bring them under a sustained yield basis, and generally to have charge, control and management of the said provincial forests.

Sale  
of timber,—  
provincial  
forests.

7. Where any timber in any provincial forest or any part thereof has been damaged by fire or has attained commercial maturity the same may be offered for sale, subject to such regulations as may be made by the Lieutenant-Governor in Council.

Lieutenant-  
Governor  
may with-  
draw lands  
for townsite  
purposes.

8. Whenever it is deemed expedient to establish a site for a town or to use land for any purpose other than agricultural settlement within the limits of a provincial forest, the Lieutenant-Governor in Council may withdraw such lands as are necessary for that purpose from such provincial forest, and thereafter this Act shall no longer apply to such lands.

Lieutenant-  
Governor  
may make  
order for  
shooting,  
game or  
fishery  
purposes.

9. On the recommendation of the Minister the Lieutenant-Governor in Council may make such order as may be necessary or proper from time to time for the use of any one or more of the provincial forests, or any part or parts thereof, for shooting, fishing, camping, recreational or instructional purposes not inconsistent with the growth and development of timber.

Surrender of  
cut-over  
timber land.

10.—(1) The Minister, for the purpose of creating a provincial forest, may arrange with any holder of a timber limit which has been cut over and upon which forest growth exists, or which the Minister is satisfied will generally reproduce timber, for the surrender of such limit or any part thereof, upon such terms and conditions as to the remission of any timber dues or ground rent or any part thereof which may be due or owing to the Crown in respect thereof, and upon such other conditions as may be set forth in the report of the Minister and approved by the Lieutenant-Governor in Council.

Order-in-  
council and  
report for  
Assembly.

(2) The order-in-council and the report of the Minister shall be laid before the Assembly within the first two weeks of the Session next after the date of the order-in-council.

Penalty.

11. For a violation of any provision of this Act or of any regulation made thereunder the offender, in addition to any other liability, shall incur a penalty of not more than \$50 recoverable under *The Summary Convictions Act*, and shall

Rev. Stat.,  
c. 121.

also

also be liable for all damages resulting from any such violation to be recoverable in any court of competent jurisdiction.

**12.** *The Forest Reserves Act* is hereby repealed.

Rev. Stat.,  
c. 40,  
repealed.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A"

The lands hereinafter described shall constitute and be known as Provincial Forests.

### EASTERN PROVINCIAL FOREST

The area known as the Eastern Forest Reserve comprising 100 square miles, more or less, with the following additions thereto, namely: Timber Licenses (1927-1928) numbers 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 158, 159, comprising 225¾ square miles more or less.

### TIMAGAMI PROVINCIAL FOREST

That area known as the Timagami Forest Reserve, comprising 5,830 square miles more or less with the following addition thereto, namely: Timber License (1927-1928) number 163, comprising 100 square miles more or less.

### MISSISSAGI PROVINCIAL FOREST

That area known as the Mississagi Forest Reserve, comprising 4,896 square miles more or less with the following additions thereto, namely: Timber Licenses, numbers 408, 409, 414, 415, 416, 417, 418, 419, 420, 421, 423, comprising 366 square miles more or less.

### GEORGIAN BAY PROVINCIAL FOREST

The land vested in the Crown in the following townships—Mowat, Blair, Wallbridge, Brown, Harrison, Burton, Shawanaga and Burpee, comprising 677 square miles more or less.

### SIBLEY PROVINCIAL FOREST

That area known as the Sibley Forest Reserve comprising 80 square miles more or less.

### NIPIGON PROVINCIAL FOREST

That area known as the Nipigon Forest Reserve, comprising 7,100 square miles more or less.

### WANAPITEI PROVINCIAL FOREST

All lands vested in the Crown in Norman, Aylmer and Parkin Townships and that portion of Rathbun Township contained in Lots Eleven to Twenty-four in Concessions Four, Five and Six, inclusive; comprising 70 square miles more or less.

### KAWARTHA PROVINCIAL FOREST

The portions of the Townships of Harvey, Burleigh and Methuen now vested in the Crown comprising 162 square miles more or less.

## CHAPTER 15.

## An Act to amend The Mining Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Mining Act, 1929*.

Rev. Stat.  
c. 45, s. 81,  
cl. e,  
repealed.

**2.**—(1) The clause lettered *e* in section 81 of *The Mining Act* is repealed and the following substituted therefor:

Working  
conditions,—  
time for  
performance.

(e) For the first instalment of work, except where the Minister of Lands and Forests has restricted the time for performing the same to a stated period, between the 16th day of November and the 15th day of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

Rev. Stat.  
c. 45, s. 81,  
amended.

(2) The said section 81 is further amended by adding at the end the words—"but notwithstanding anything contained in this Act where the Minister of Lands and Forests has restricted the work to a stated period the work shall be performed within such period."

Rev. Stat.  
c. 45, s. 88,  
subs. 1,  
amended.

**3.** Subsection 1 of section 88 of *The Mining Act* is amended by inserting after the word "default" in the second line, the words "or the Minister at any time after such three months on report of the judge."

Rev. Stat.  
c. 45,  
amended.

**4.** *The Mining Act* is amended by adding thereto the following sections:

English  
language  
to be used.

156*a*. Every man employed as an underground foreman (meaning thereby one who is exclusively engaged in supervising the work of other men) shall be able to give and receive orders in the English language.

Suspension  
of  
foreman.

156*b*. The Inspector of Mines shall have the right to suspend any foreman or mine captain who is not familiar with, or does not understand, the require-

ments



ments of the regulations governing the operation of mines as contained in *The Mining Act*.

5. Rule 11 in section 161 of *The Mining Act* is amended by Rev. Stat. c. 45, s. 161, rule 11, amended. striking out the words "above ground" in the first line, so that the rule will now read as follows:

(11) No building for thawing explosives shall be main-Thawing houses. tained in connection with any mine except with the written permission of the Inspector of Mines. The site of this building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of 24 hours, plus the amount that it may be necessary to have thawing to maintain that supply.

6. Section 161 of *The Mining Act* is amended by adding Rev. Stat. c. 45, s. 161 amended. thereto the following rules:

(38a) All underground buildings or enclosures necessary Under-ground buildings to be fireproof. for the housing and maintenance of machinery or equipment shall be constructed as far as practicable of fire-proof material.

(38b) All fans except "Booster" fans shall be above Fans. ground and shall be reversible, and all fans and structures containing the same shall be fireproof.

(38c) Oil and grease kept underground shall be contained Oil and grease. in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days.

(38d) There shall be a sufficient number of fire doors at Fire doors. every underground station where practicable so that the shaft can be completely cut off from the rest of the mine.

(38e) All inflammable refuse underground shall be re- Removal of refuse. moved at least once in every 24 hours, and shall be brought to the surface and there disposed of in a suitable manner.

(38f) Every shift boss and mine captain shall certify in Inflam-mable refuse. writing to the mine manager at least once in every week, that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him.

(38g)



Fire protection at crushers, etc.

(38g) Suitable fire protection systems shall be installed at all underground crushers, tipples, and in dry shafts.

Warning signal.

(38h) Every mine which has a maximum production of 100 tons of ore per day, shall be equipped with the necessary mechanical apparatus so that the stench ethyl mercaptan may be introduced into the air line as a warning signal to underground workmen.

Signs showing emergency exits.

(38i) Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to location of auxiliary exits.

Commencement of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 16.

## An Act to amend The Natural Gas Conservation Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Natural Gas Conservation Act*, 1929. Short title.

**2.** The clause lettered *d* in section 1 of *The Natural Gas Conservation Act* is amended by striking out all the words after the words "artificial gas" in the third line, and inserting in lieu thereof the words "where such mixture contains by volume not more than fifty per centum of artificial gas," so that the said clause will now read as follows:

(*d*) "Natural Gas produced in Ontario," and "Natural Gas" shall include for the purposes of this Act a mixture of natural gas and artificial gas where such mixture contains by volume not more than fifty per centum of artificial gas. "Natural Gas produced in Ontario." Rev. Stat., c. 47, s. 1, cl. d, amended.

**3.** The clause lettered *e* in section 4 of *The Natural Gas Conservation Act* is amended by inserting the word "natural" before the word "gas" in the first line. Rev. Stat., c. 47, s. 4, cl. e, amended.

**4.** Subsections 1 and 2 of section 26 of *The Natural Gas Conservation Act* are amended by inserting the word "natural" before the word "gas" where it occurs in the seventh line of subsection 1 and the second line of subsection 2, respectively. Rev. Stat., c. 47, s. 26, subss. 1, 2, amended.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 17.

## An Act to amend The Highway Improvement Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Highway Improvement Act, 1929.*

Rev. Stat.,  
c. 54, s. 14,  
subs. 1,  
amended.      **2.**—(1) Subsection 1 of section 14 of *The Highway Improvement Act* is amended by inserting at the commencement of the said subsection the words "Subject to the provisions of subsection 1a."

Rev. Stat.,  
c. 54, s. 14,  
amended.      (2) The said section 14 is amended by adding thereto the following subsection:

Limit of  
amount of  
county rate.

(1a) Where the council of a county has paid over moneys raised on sinking fund account to the Treasurer of Ontario under the provisions of sections 319 to 323 of *The Municipal Act*, the amount to be raised and levied for the construction and improvement of highways under subsection 1 may be a sum not exceeding the total amount so in the hands of the Treasurer of Ontario with five per centum of the equalized assessment of the county added thereto.

Rev. Stat.  
c. 233.

**3.** Subsection 3 of section 26 of *The Highway Improvement Act* is amended by striking out all the words after the word "Act" in the fifth line.

Rev. Stat.,  
c. 54, s. 63,  
subs. 1,  
amended.

**4.** Subsection 1 of section 63 of *The Highway Improvement Act* is amended by striking out the words "the next preceding section" in the last line and inserting in lieu thereof the words "section 61."

Rev. Stat.,  
c. 54, s. 65,  
amended.

**5.** Section 65 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Contribu-  
tion to  
maintenance  
and repair  
of certain  
town and  
village  
roads.

(8) Where a road has been constructed or improved under this section the cost of maintenance and repair shall be paid out of the Fund and borne and paid by

the

the corporation of a town or village in the same proportion as the cost of such construction or improvement.

**6.** Section 77a of *The Highway Improvement Act* as enacted by section 6 of *The Highway Improvement Act, 1928*, is amended by striking out all the words therein after the word "Board" in the thirteenth line, and by adding to the said section the following subsections:

Rev. Stat.,  
c. 54, s. 77a,  
(1928,  
c. 18, s. 6),  
amended.

(2) No such action or other proceeding shall lie in respect of any such claim unless notice in writing of the claim and of the injury complained of has been filed with the Department within six months after the injury complained of, or in the case of a continuing injury, within one year from the time when the injury began or became known to the complainant.

Limitation  
of claims  
for compen-  
sation.

(3) Section 87 shall apply to any such action or proceeding.

Application  
of s. 87.

**7.** Section 81 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 54, s. 81,  
amended.

(6) Where the District Engineer reports to the Department that a road to which this Act applies in any municipality is out of repair, the Minister may, after at least two months' notice in writing to the corporation of the municipality, direct the Department to undertake the work of putting such road in repair, and the cost of such work shall be chargeable to and shall be a debt due from the corporation of the municipality to the Crown and the Minister may direct that such cost shall be deducted from any sums of money payable to the municipality under this Act.

Repair and  
maintenance  
of highway  
by Depart-  
ment on  
corporation's  
default.

**8.** Subsection 3 of section 85 of *The Highway Improvement Act* is amended by striking out the words "the removal of" in the second line.

Rev. Stat.,  
c. 54, s. 85,  
subs. 3,  
amended.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 18.

## An Act to amend The Gasoline Tax Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Gasoline Tax Act, 1929*.

Rev. stat.  
c. 55, s. 2,  
amended.

**2.** Section 2 of *The Gasoline Tax Act* is amended by striking out the words "three cents" in the fifth line and inserting in lieu thereof the words "five cents," so that the section will now read as follows,—

Tax pay-  
able by  
purchaser.

**2.** For the purpose of providing for a fair contribution by the users of roads in Ontario towards the cost of the construction and maintenance thereof, every purchaser shall pay to the Minister for the use of His Majesty in the right of the Province of Ontario, a charge or tax at the rate of five cents a gallon on all gasoline purchased or delivery of which is received by him.

Commence-  
ment of  
Act.

**3.** This amendment shall have effect as from the 27th day of March, 1929.

## CHAPTER 19.

An Act to amend The Public Service Works on  
Highways Act.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Service Works on Highways Act, 1929.* Short title.

**2.** Section 1 of *The Public Service Works on Highways Act* Rev. Stat., c. 56, s. 1, is amended by striking out clauses *a* and *b* therein and substituting therefor the following: cls. a, b, repealed.

- (a) "Appliances and works" shall mean and include "Appliances and works," poles, wires, conduits, transformers, pipes and pipe lines and any other works, structures or appliances placed on or under a highway by an operating corporation;
- (b) "Operating corporation" shall mean and include a "Operating corporation," municipal corporation or commission and a company or individual operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power and shall include The Hydro-Electric Power Commission of Ontario.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

## CHAPTER 20.

## An Act to amend The Power Commission Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Power Commission Act, 1929*.

Rev. Stat.,  
c. 57, s. 6,  
subs. 2,  
amended.

**2.** Subsection 2 of section 6 of *The Power Commission Act* is amended by adding thereto the following clause:

Certain  
expenditures  
to be  
included as  
part of cost  
of supplying  
power.

(a) Expenditure heretofore or hereafter incurred by the Commission,

(i) for works or services in carrying out the directions of the Lieutenant-Governor in Council or for which the Commission has had other proper authority and which have not already been included in the cost of power to municipalities under contract with the Commission but which, in the opinion of the Commission, have proved or may ultimately prove beneficial to municipal corporations under contract with the Commission for a supply of power, or to municipal corporations which may from time to time thereafter enter into such contracts;

(ii) deemed necessary or desirable by the Commission in the interests of municipal corporations then or that may thereafter be under contract with the Commission for a supply of power, in carrying on, promoting or extending the operations of the Commission in connection with the generation, distribution or supply of power or for any work or service deemed by the Commission incidental thereto,

may be included by the Commission as part of the cost of supplying electrical power or energy to any

of such corporations, and shall be apportioned by the Commission as provided in this section and section 56.

3. Section 15 of *The Power Commission Act* is amended by striking out the words "or acquired" in the fourth line and inserting in lieu thereof the words "acquired or performed," and by adding the following clause:

Rev. Stat.,  
c. 57, s. 15,  
amended.

- (a) For the purposes of this section "works" shall, in addition to the meaning given to it in section 2, mean and include preliminary reports, surveys, investigations, engineering, accounting or organization work or service, or any other work or service in connection with or incidental to any proposed construction or development.

"Works,"  
meaning of.

4. Subsections 3 to 8 inclusive of section 20 of *The Power Commission Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 57, s. 20,  
subss. 3 to 8,  
repealed.

- (3) Where under an agreement or any instrument purporting to be an agreement with a municipal corporation the Commission has heretofore constructed works or improvements upon any lake, river, stream or other body of water and it appears to the Lieutenant-Governor in Council that such works or improvements are or may be of benefit to, or increase the value of the land of any individual or corporation other than such municipal corporation, the Lieutenant-Governor in Council may direct a judge of the Supreme Court, or a judge of a county or district court, to inquire into and determine the proportion in which such municipal corporation and any such individual or other corporation are or may be respectively benefited or the value of the land of any of them increased by such works or improvements, and the judge may make an order fixing the proportion in which the cost of such works or improvements shall be borne by the municipal corporation party to such agreement or instrument, and by any such individual or corporation and by the Province respectively, and may fix such proportion without regard to the terms of such agreement or instrument.
- (4) No costs shall be awarded to any party appearing before the judge or otherwise interested in the inquiry.
- (5) The judge shall be paid such fees and expenses as shall be fixed by the Lieutenant-Governor in Council.

Apportion-  
ment of  
costs of  
works  
heretofore  
constructed.

When costs  
not to be  
awarded.

Fees and  
expenses.



Cost of  
works, etc.,  
—what to  
include.

- (6) For the purposes of this section the cost of the works or improvements shall be deemed to include all expenditures, charges and expenses as fixed by the Commission made or incurred by it in respect of the construction of such works or improvements, extensions and additions thereto, interest charges, operating expenses, repairs and maintenance, down to the date of the order of the judge, the fees and expenses of the judge and the expenses incurred by the Commission in connection with the inquiry.

Appeal.

- (7) Any person, or any municipal or other corporation affected by the order made under the authority of subsection 2 or subsection 3 may, with the consent in writing of the Commission, appeal from such order to the Appellate Division.

Sinking  
fund.

- (8).—(a) The Commission may establish a sinking fund to be provided by the parties in the proportions directed by the order of the judge sufficient to discharge and pay off the cost of such works or improvements and such of the capital costs as may be incurred from time to time by the Commission after the date of the order of the judge within such periods as the Commission may fix having regard to the life of such works or improvements and not exceeding forty years.

Annual  
apportion-  
ment of  
costs by  
Commis-  
sion.

- (b) The Commission shall subsequent to the order of the judge annually fix and determine the costs, charges or expenses incurred by it from time to time in the operation, maintenance, repair and renewal of such works and shall apportion and charge the same against the parties in the proportions fixed by the order of the judge together with the payments in respect of sinking fund hereinbefore mentioned and the amounts so charged shall be payable on demand recoverable in the manner hereinafter provided.

Allowance  
for previous  
expenditure.

- (9) In fixing the amounts so payable the Commission shall give credit for any amount theretofore contributed to the cost of such works and improvements by a municipal or other corporation or by any individual.

Recovery of  
amount  
assessed.

- (10) The amount so found payable by a municipal corporation shall be recoverable in the like manner as in the case of a charge for any other service rendered by the Commission to a municipal corporation and in the case of any other corporation or of

an individual the amount so found due shall constitute a debt due to the Commission and shall be recoverable in any court of competent jurisdiction from the owners from time to time of the lands so found by the order of the judge to be benefited by such works or improvements and shall constitute a lien or charge upon such lands enforceable in the same manner and by the same proceedings as nearly as may be as in the case of a charge in favour of the Crown.

- (11) Where a proportion of the cost of such works and improvements is to be borne by the Province the amount due from time to time in respect thereof shall be payable out of any moneys appropriated by the Legislature for that purpose. Share of Province, how payable.
- (12) When the proportions in which the cost of such works or improvements is to be borne have been fixed by order of the judge or of the Appellate Division such order shall be final and binding unless and until it shall appear to the Commission that owing to change of circumstances or conditions in respect of such works or improvements it is equitable that there should be a readjustment of the proportions theretofore fixed by the order of the judge and in that case upon the application of any person liable to contribute to the cost of such works or improvements, made with the consent in writing of the Commission, the judge may make further inquiry and may readjust such proportions to be thereafter applied in such manner as he may deem just and equitable subject to appeal as hereinbefore provided. How far order to be final and binding.

5. Subsection 3 of section 40 of *The Power Commission Act* Rev. Stat., c. 57, s. 40, subs. 3, amended. is amended by inserting the words "or other" before the word "service" in clause (c), and is further amended by inserting the words "generation, purchase," before the word "transmission" in the eighth line; by adding after the words "power purposes" in the ninth line the following words, "or for the manufacture, procuring, producing, supply or use of any other public utility"; by striking out the words "which has entered into a contract with the Commission for the supply of electrical power or energy" in the tenth, eleventh and twelfth lines and substituting therefor the words "or by any other corporation or any person"; by striking out the words "or commission" in the thirteenth line and substituting therefor the words "commission or person" so that the subsection will now read as follows:

Doing  
work for  
contracting  
municipalities, etc.

(3) The Commission may,—

(a) undertake and carry out the preparation of plans, specifications and estimates for, and the construction, erection, installation and putting down of, any plant, machinery, and other things;

(b) purchase supplies, wires, poles, and other things;

(c) render engineering or other service,

for the generation, purchase, transmission, distribution, supply or use of electrical power or energy for light, heat or power purposes, or for the manufacture, procuring, producing, supply or use of any other public utility, by a municipal corporation or commission, or by any other corporation or any person; and the Commission may charge and collect from such corporation, commission or person the cost of any work done or service rendered by the Commission under this subsection.

Rev. Stat.,  
c. 57, s. 64,  
subs. 4,  
amended.

**6.**—(1) Subsection 4 of section 64 of *The Power Commission Act* is amended by adding thereto the following words:

Where area  
is enlarged.

In the event of the enlarging of such area it shall be necessary only to have a petition from a majority of the resident freeholders in the new area; in the event of alteration of the boundaries of any such area the council without petition may from time to time by by-law alter the said boundaries so long as such alteration does not alter by more than ten per cent. the amount of the assessment upon which the special rate is raised to meet the cost as mentioned in subsections 5 and 6 of this section; in the event of any alteration reducing by more than ten per cent. the amount of such assessment the petition must have a majority of the resident freeholders in the area remaining subject to such assessment.

Rev. Stat.,  
c. 57, s. 64,  
subs. 7,  
amended.

(2) Subsection 7 of the said section 64 is amended by adding after the word “may” in the first line the words “from time to time” and by adding after the word “that” in the second line the words “the whole or”.

Rev. Stat.,  
c. 57, s. 64,  
amended.

(3) The said section 64 is further amended by adding thereto the following subsections:

- (8) Notwithstanding that any street lighting in a township may have been undertaken as a local improvement under *The Local Improvement Act*, the council upon the procedure and for the purposes set out in this Part may enter into a contract with the Commission for a new area or enlarge any existing area and include in any such area the whole or any part of the lands specially assessed for the local improvement; thereafter all moneys required to meet the costs incurred by the corporation in respect to street lighting in the area shall be raised, levied and collected in the manner prescribed in this Part and only that part of the cost under *The Local Improvement Act* which is specially assessed on the lands not included in such area shall be collected under that Act;  
Street lighting.  
Rev. Stat.,  
c. 235.
- (9) Whenever the corporation shall have entered into contract with the Commission as provided in subsection 3 of this section it shall not be necessary for the corporation to enter into a separate contract with the Commission for any other area in the township, but the corporation may pass a by-law making such contract applicable to any such other area; thereupon such contract shall apply to such other area as fully as if such area had been included in the original petition for such contract;  
Contract,  
application  
of.
- (10) The council of the corporation may from time to time by by-law without the assent of the electors and without any petition as mentioned in this Part incorporate any such area with any other adjoining area in the township and the contract with the Commission for the area with which the other area is incorporated shall apply to the whole area;  
Extension  
of contract  
to adjoining  
areas.
- (11) Wherever any such area is wholly or partly within an area in the township set apart by the council under section 49, the contract with the approval of the Commission may be made with The Hydro-Electric Power Commission of the said area under section 49.

7.—(1) Subsection 1 of section 73 of *The Power Commission Act* is amended by striking out the words "under the procedure provided for in section 63 and subsections 1, 2 and 3 of section 64" in the second, third and fourth lines and substituting therefor the following words, "under procedure similar to that provided in Part III of this Act," and is further amended by adding thereto the following words, "and the by-law of the  
Rev. Stat.,  
c. 57, s. 73,  
subs. 1,  
amended.  
Lighting of  
highways.

corporation need not provide for the issue of debentures of the corporation to meet the cost of construction and installation of the works necessary for the distribution of the electrical power or energy."

Rev. Stat.,  
c. 57, s. 73,  
subs. 6,  
(1928  
c. 19, s. 5),  
amended.

(2) Subsection 6 of the said section 73 as enacted by section 5 of *The Power Commission Act, 1928*, is further amended by adding after the word "may" in the first line the words "from time to time," and by adding after the word "that" in the second line the words "the whole or".

Rev. Stat.,  
c. 57, s. 73,  
amended.

(3) The said section 73 is further amended by adding thereto the following subsections:

Lighting  
highways  
in local  
areas.

(7) Whenever the corporation shall under Part III of this Act have entered into a contract with the Commission for the supply of electrical power or energy for the purposes required by the petitioners in any area, the corporation without a petition or any of the other preliminary proceedings provided in the said Part III may by by-law enter into a contract with the Commission for lighting the highways in the said area under this Part and thereafter all the provisions of this Part shall apply to the said area and the lighting of the highways therein in lieu of the provisions of the said Part III.

Application  
of subss. 8 to  
10 of s. 64.

(8) Subsections 8, 9 and 10 of section 64 shall apply *mutatis mutandis* to any contract and to any area under this section.

Rev. Stat.,  
c. 57, s. 98,  
subs. 1, cl. a,  
amended.

8.—(1) The clause lettered *a* in subsection 1 of section 98 of *The Power Commission Act* is amended by adding after the word "company" in the third line the word "firm".

Rev. Stat.,  
c. 57, s. 98,  
subs. 1, cl. b,  
amended.

(2) The clause lettered *b* in subsection 1 of the said section 98 is amended by striking out the words "distribution or supplying" in the fourth and fifth lines and substituting therefor the words "distribution, supplying or use".

Rev. Stat.,  
c. 57, s. 98,  
amended.

(3) The said section 98 is further amended by adding thereto the following subsection:

Application  
of section.

(6) Notwithstanding anything herein contained, this section shall not apply to an officer or employee of any such municipal commission who patents a device, appliance, machine, process or article of his own invention with the knowledge and permission of such municipal commission and the Commission.

Commence-  
ment of  
Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 21.

An Act to validate certain By-laws respecting The  
Hydro-Electric Power Commission of Ontario.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission Act*, Short title. 1929 (No. 2).

2. By-law number 40-1928 of the corporation of the city of Kingston; by-law number 1669 of the corporation of the city of Sarnia; by-law number 1820 of the corporation of the town of Lindsay; by-law number 338 of the corporation of the village of Athens; by-law number 54-1927 of the corporation of the village of Finch; by-law number 302 of the corporation of the village of Richmond; by-law number 222A of the corporation of the police village of Bridgeport; by-law number 338 of the corporation of the township of Adelaide; by-laws numbers 504 and 512 of the corporation of the township of Alnwick; by-law number 356 of the corporation of the township of Amabel; by-law number 187 of the corporation of the township of Asphodel; by-law number 20 of the corporation of the township of Blanshard; by-law number 2030 of the corporation of the township of Brantford; by-law number A8 of the corporation of the township of Brighton; by-law number 592 of the corporation of the township of Camden East; by-law number 680 of the corporation of the township of Cavan; by-law number 1244 of the corporation of the township of Chatham; by-law number 4-1928 of the corporation of the township of Eramosa; by-law number 10 of the corporation of the township of Ernesttown; by-laws numbers 593 and 604 of the corporation of the township of Euphemia; by-law number 8 of the corporation of the township of Finch; by-law number 7 of the corporation of the township of Fredericksburg North; by-laws numbers 481, 482 and 483 of the corporation of the township of Gainsboro; by-law number 11 of the corporation of the township of Garafraxa West; by-law number 9-1928 of the corporation of the township of Goderich; by-law number 595 of the corporation of the township of

By-laws confirmed.

Gosfield North; by-law number 17-1928 of the corporation of the township of Grey; by-law number 615 of the corporation of the township of Gwillimbury West; by-law number 12 of the corporation of the township of Howick; by-laws numbers 6-1928 and 11-1928 of the corporation of the township of Hullett; by-law number 5-1928 of the corporation of the township of Keppel; by-law number 51 of the corporation of the township of Metcalfe; by-law number 403 of the corporation of the township of Montague; by-law number 641 of the corporation of the township of Mornington; by-law number 673 of the corporation of the township of Mulmur; by-law number 18 of the corporation of the township of Osnabruck; by-law number 833 of the corporation of the township of Percy; by-law number 664 of the corporation of the township of Rear Escott and Yonge; by-law number 82 of the corporation of the township of Scott; by-law number 305 of the corporation of the township of Seneca; by-law number 239 of 1928 of the corporation of the township of Stamford; by-law number 8 of the corporation of the township of Stanley; by-law number 3-1928 of the corporation of the township of St. Vincent; by-law number 795 of the corporation of the township of Thurlow; by-law number 461 of the corporation of the township of Tilbury West; by-laws numbers 445 and 446 of the corporation of the township of Trafalgar; by-law number 24 of the corporation of the township of Turnbury; by-law number 779 of the corporation of the township of Tyendinaga; by-law number 1192 of the corporation of the township of Vaughan; by-law number 727 of the corporation of the township of Vespra; by-law number 8-1928 of the corporation of the township of Wawanosh East; by-law number 5-1928 of the corporation of the township of Wawanosh West; by-law number 1015 of the corporation of the township of Whitby East; by-law number 449 of the corporation of the township of Wolford; by-law number 359 of the corporation of the township of Woodhouse; by-law number 8 of 1926 of the corporation of the township of Zone; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

Rev. Stat.,  
c. 57.

By-laws  
776 and 781  
town of  
Southamp-  
ton  
confirmed.

**3.—(1)** By-laws numbers 776 and 781 of the corporation of the town of Southampton and all debentures issued or to be issued or purporting to be issued under the said by-law number 781 are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof

respectively



respectively, and shall not be open to question upon any ground whatsoever, and the said corporation may enter into a contract with the Commission for a supply of electrical power or energy and such contract shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature, and notwithstanding any action or proceeding heretofore commenced or now pending or any judgment or other decision which may be rendered therein; provided nevertheless that the costs in any such action or proceeding shall be awarded and taxed and payable as if this section had not been enacted.

Rev. Stat.  
c. 57.

(2) This section shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of  
section 3.

4. Save as herein otherwise provided this Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.



## CHAPTER 22.

## The Power Commission and Companies Transfer Act, 1929.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS by *The Power Commission and Companies Transfer Act, 1924*, The Electrical Development Company of Ontario Limited, The Hydro-Electric Power Commission of Ontario (therein and hereinafter called "the Commission"), National Trust Company Limited (hereinafter called "the Trustee"), the Toronto Power Company Limited and His Majesty the King, represented by the Lieutenant-Governor of the Province of Ontario acting by the Honourable G. Howard Ferguson, Prime Minister of the said province, were authorized and empowered to execute the agreement set out in the schedule to the said Act, hereinafter referred to as the agreement of the 25th of March, 1924, and it was enacted that upon the execution and delivery of the said agreement the same should be legal, valid and binding upon the parties thereto and upon the *cestuis que trustent* under certain indentures of mortgage recited in the said agreement, including the mortgage dated the 1st of March, 1903, in the same manner and to the same extent as if the terms of the said agreement had been set out and enacted in the body of the said Act, and that thereupon all the properties, rights, assets and franchises of The Electrical Development Company of Ontario Limited should be vested in the Commission but subject to the terms, covenants, agreements, provisos and conditions referred to or set out in the said agreement and subject to the said mortgage of the 1st day of March, 1903, and to the bonds secured thereby and to all the rights by the said mortgage and the said bonds reserved and subject to the due observance, fulfilment and performance by the Commission of all the covenants, agreements, provisos and conditions in the said indenture to be kept, observed and performed by the said The Electrical Development Company of Ontario Limited; and whereas doubts have arisen as to the right of the Commission to require the Trustee under the said mortgage to grant releases of properties and as to the disposition of the considerations received on the sale or other disposition of properties comprised in the mortgaged premises;

Therefore,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission and Companies Transfer Act, 1929.* Short title.

2. In addition to all other powers possessed by it, the Trustee under the said mortgage of the 1st of March, 1903, has since the date of the said agreement of the 25th of March, 1924, and now has, and shall have while any of the bonds secured by the said mortgage remain outstanding and unpaid, power to concur with the Commission in the disposition of any property, real or personal, comprised in the mortgaged premises, and the Trustee shall be entitled, upon the request of the Commission and upon receipt by the Trustee of the consideration to be received on any such sale or other disposition, to release any property from the said mortgage which shall be sold or disposed of for a fair consideration by the Commission, including property expropriated or which may be sold in anticipation of expropriation or after the commencement of expropriation proceedings, but prior to the compensation therefor being fixed pursuant to the authority under which such expropriation is being or is about to be carried out, and thereafter the said consideration shall be paid or transferred by the Trustee to the Commission upon one of the following conditions being complied with:

- (a) Other property acquired or constructed by the Commission since the 25th day of March, 1924, equal in value to the property released, consisting of freehold or leasehold lands or of buildings, improvements, works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises, is substituted for the property released; and which property so substituted may include the whole or any part of the property received as the consideration or part consideration for the property released; or,
- (b) The amount of such consideration or the part thereof so paid to the Commission is received by the Commission for the purpose of making expenditures or for the purpose of recouping the Commission for expenditures made by it on capital account since the 25th day of March, 1924, on buildings, improvements works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises and which is under or will be brought under the mortgage.

Non-compliance with conditions.

**3.** If within one year from the receipt of such consideration by the Trustee neither of the conditions mentioned in the last preceding paragraph hereof shall have been complied with, then the consideration if and to the extent consisting of cash shall be added to the sinking fund and applied with the next instalment of sinking fund moneys and as an addition thereto in the manner in the said mortgage provided for the application of sinking fund moneys, and if and to the extent consisting of property other than cash shall be held by the Trustee as part of the mortgaged premises.

Mode of effecting substitution of property.

**4.** The substitution of property or the bringing of property under the mortgage pursuant to the foregoing provisions hereof shall be effected by the Commission delivering to the Trustee a certificate under its corporate seal, executed by the chairman and secretary, containing a description of the property to be substituted or brought under the mortgage, whereupon, or in the case of properties to be erected or acquired, then upon the same coming into being or being so acquired, such property so described shall be and become subject to a first mortgage in favour of the Trustee as part of the mortgaged premises under the said mortgage and subject to the lien and charge thereof.

Certification of value of substituted property.

**5.** The trustee shall be entitled to rely upon a certificate under the corporate seal of the Commission, signed by the chairman and secretary or by the chief accountant, as to the value of any property released or substituted or brought under the mortgage and as to the amount of any expenditures made or proposed to be made and as to the consideration received for any property released, and in the case of moneys paid to the Commission for the purpose of making expenditures that such expenditures will be made.

Confirmation of agreement of 25th March, 1924.  
1924, c. 24.

**6.** The said agreement of the 25th of March, 1924, is hereby confirmed and declared to be legal, valid and binding upon the same parties and to the same extent as provided for in *The Power Commission and Companies Transfer Act, 1924*, and as if the foregoing provisions hereof were set out in the said mortgage of the 1st of March, 1903.

## CHAPTER 23.

## The Statute Law Amendment Act, 1929.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The form numbered 13 in schedule "A" to *The Voters' Lists Act* is amended by striking out the words "by registered letter or by parcel post registered" in the eleventh and twelfth lines of the said form. Rev. Stat.,  
c. 7, Sched.  
A, Form  
13, amended.

**2.** *The Crown Timber Act* is amended by adding thereto the following sections,— Rev. stat.  
c. 38,  
amended.

9a. The Minister may, so far as the same affects poplar trees and timber and subject to such terms and conditions as to him may seem meet, suspend the operation of the "manufacturing condition" for such period as to him may seem proper and as to any district or districts which he may define, so as to permit the exportation of poplar pulpwood during such period and from such district or districts. Suspension of  
"manufacturing  
condition" as  
to poplar.

29a. All Crown dues, interest, costs, expenses and penalties imposed under this Act and all other charges and claims of the Crown upon or in connection with trees or timber standing on, or which have been cut on the public lands of Ontario, or upon or in connection with trees or timber standing on, or which have been cut on patented lands where by the terms or conditions of the sale of such lands the timber on such patented lands remained the property of the Crown, shall, in preference and priority to any and all other fees, charges, liens or claims whatsoever, be a lien and charge upon the trees and timber so standing or which have been so cut, and upon all manufactured products of the trees so cut, and also upon the property whether real or personal, movable or immovable, of the person liable to pay such Crown dues, interest, costs, expenses or penalties. Lien for dues,  
etc., priority  
of.

Notice of  
lien.

29*b*. Where personal property subject to a lien and charge under section 29*a*, is under seizure or attachment or has been seized by the sheriff, or by a bailiff of any court, or is claimed by or in possession of any assignee for the benefit of creditors, or liquidator, or trustee, or authorized trustees in bankruptcy, or where such property has been converted into cash and is undistributed, the Minister may give to the sheriff, bailiff, assignee or liquidator, or trustee, or authorized trustee in bankruptcy, notice of the amount due or owing under such lien and charge, and in such case the sheriff, bailiff, assignee or liquidator, or trustee, or authorized trustee in bankruptcy shall pay the amount of the same to the Treasurer of Ontario in preference to and in priority over any and all other fees, charges, liens or claims whatsoever.

Rev. Stat.,  
c. 90, s. 9,  
subs. 1,  
amended.

3.—(1) Subsection 1 of section 9 of *The County Judges' Act* is amended by striking out the words "county of Wentworth" in the fifth and sixth lines and inserting in lieu thereof the words "counties of Wentworth, Carleton, Middlesex and Essex."

Allowance  
to junior  
judges.

Rev. Stat.,  
c. 90, s. 9,  
subs. 2, (1928,  
c. 21, s. 18),  
amended.

Allowance  
to senior  
judge of  
York.

(2) Subsection 2 of section 9 of the said Act as re-enacted by section 18 of *The Statute Law Amendment Act, 1928*, is amended by adding thereto the following words, "provided further that should the senior judge of the county of York be succeeded in office by one of the junior judges of the said county, holding office on the 15th day of January, 1927, such judge so promoted shall continue to be entitled to the annual allowance of \$1,600."

Rev. Stat.,  
c. 94,  
amended.

4.—(1) *The Surrogate Courts Act* is amended by adding thereto the following section:

Quebec  
notarial  
wills.

33*a*. Subject to the provisions of subsection 2 of section 68, a notarial will made in the Province of Quebec may be admitted to probate without the production of the original will upon filing a notarial copy thereof together with the other proper proofs to lead grant.

Rev. Stat.,  
c. 94, s. 52,  
repealed.

(2) Section 52 of the said Act is repealed and the following substituted therefor:

Additional  
fees on in-  
crease of  
value of  
estate.

52. Where after a grant has issued out of the surrogate court the value of the estate has been increased for succession duty purposes, the executor or administrator shall forthwith pay to the registrar of the surrogate court from which the grant issued, the additional fees that would have been payable at the time of the issue had the value of the estate been

placed

placed at the amount to which it has been so increased, and the registrar shall account for such additional fees in the same manner as if the same had been paid at the time of the issue of the grant.

(3) Subsection 1 of section 68 of the said Act is amended by adding thereto the following clause: Rev. Stat.,  
c. 94, s. 68,  
subs. 1,  
amended.

(a) Subject to the provisions of subsection 2, letters of verification issued in the Province of Quebec shall be deemed to be a probate within the meaning of this section. Letters of  
verification  
in Quebec.

5.—(1) Section 15 of *The Magistrates' Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 119, s. 15,  
amended.

(3) The provisions of subsection 2 shall also apply to a township having a population of not less than 40,000 and bordering on a city having a population of not less than 200,000. Salaries  
police  
magistrates.

(2) Section 32 of the said Act is amended by inserting at the commencement thereof the words "subject to the provisions of *The Magistrates' Jurisdiction Act, 1929.*" Rev. Stat.,  
c. 119, s. 32,  
amended.

6. *The Statute of Frauds* is amended by adding thereto the following section: Rev. Stat.,  
c. 131,  
amended.

4a. A promise, contract or agreement to pay any sum of money by way of liquidated damages or to do or suffer any other act, matter or thing based upon, arising out of, or relating to a promise, contract or agreement dealt with in section 4 shall not be of any greater validity than such last-mentioned promise, contract or agreement. Limitation  
as to validity  
of covenants  
or conditions  
in agree-  
ments for  
sale of land.

7. Paragraph 12 in column 2 of schedule "B" to *The Short Forms of Leases Act* is amended by striking out the word "hereafter" in the eleventh line of the said paragraph and inserting in lieu thereof the word "thereafter." Rev. Stat.,  
c. 144,  
Sched. "B,"  
col. 2, para.  
12, amended.

8. Section 10 of *The Conditional Sales Act* is amended by striking out the words "within thirty days" in the thirteenth line. Clerical  
correction.  
  
Rev. Stat.,  
c. 165, s. 10,  
amended.  
Contracts  
originating  
out of  
Ontario.

9. *The Master and Servant Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 177,  
amended.

5a. Where an order is made under this Act by a police magistrate in a city for the payment of money, such order may be proceeded upon and enforced in the Procedure  
upon order  
of police  
magistrate.

manner

R.S.C., c. 36.

manner provided by section 739 of the *Criminal Code* and the said section shall apply as if the same were set out and enacted herein.

Rev. Stat.,  
c. 188, s. 1,  
cl. a,  
amended.

**10.** The clause lettered *a* in section 1 of *The Children of Unmarried Parents Act* is amended by striking out all the words at the commencement thereof down to and including the word "court" in the second line, and inserting in lieu thereof the words "'Judge' shall mean judge or junior or acting judge of a county or district court."

Rev. Stat.,  
c. 189, s. 2,  
subs. 3,  
amended.

**11.** Subsection 3 of section 2 of *The Adoption Act* as amended by section 2 of *The Adoption Act, 1928*, is further amended by adding thereto the following clause:

When consent of father of illegitimate child required.

(b) Nothing herein shall be deemed to require the consent of the father of an illegitimate child to the making of an adoption order unless the child is resident with and maintained by the father.

Rev. stat.  
c. 225, s. 20,  
amended.

**12.** Section 20 of *The Railway and Municipal Board Act* is amended by adding thereto the following subsection:

Control of expropriation by companies.

(6a) The Board shall have power to inquire into, hear and determine any matter or thing that by Letters Patent or Supplementary Letters Patent of any company heretofore or hereafter issued may be referred to the Board and if the expropriation of land without the consent of the owners is so referred to the Board by Letters Patent or Supplementary Letters Patent of any company other than a railway company, the Board may refuse to approve of the map and location of the lands to be expropriated, in which case such companies shall not be entitled to exercise the right of expropriation.

Rev. Stat.,  
c. 261, s. 8,  
subs. 1,  
repealed.

**13.** Subsection 1 of section 8 of *The Athletic Commission Act* is repealed and the following substituted therefor:

Tax on gate receipts for funds of Commission.

(1) For the purpose of providing a fund for the payment of the expenses of the Commission and the salaries and other expenses of its officers, clerks and servants, and the general expenses incurred in carrying out the provisions of this Act, every person, corporation, association or club conducting a professional contest or exhibition of any sport or game shall pay to the Commission an amount,—

(a) not exceeding two per centum in the case of any such contest or exhibition not being a boxing contest or exhibition;

(b)



- (b) not less than one per centum and not exceeding five per centum in the case of a boxing contest or exhibition,

of the gross receipts taken by such person, corporation, association or club in respect of such contest or exhibition as shall from time to time be determined by the Commission with the approval of the Lieutenant-Governor in Council.

**14.** Section 11 of *The Minimum Wage Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 11, amended.

- (5) In all cases where any child, youth, young girl or woman, as defined in *The Factory, Shop and Office Building Act*, works beyond the number of hours in any one day or in any one week as set out in the said Act, and whether the inspector under the said Act has permitted exemption or not, the Board may establish a wage for all time so worked in excess of such statutory number of hours in any one day or week. Fixing rate of wages for illegal over-time.

**15.**—(1) Section 13 of *The Children's Protection Act* as amended by section 7 of *The Children's Protection Act, 1928*, is further amended by adding thereto the following clauses: Rev. Stat., c. 279, s. 13, amended.

- (a) The judge may in all cases arising under this section make such order regarding the maintenance and custody of any such child, and the right of access thereto of any person, or of either parent, having regard to the welfare of the child, and to the conduct of the parent or person, and to the wishes of the mother as well as of the father, and may at any time alter, vary or discharge any order so made. Power of judge on investigation of charges with respect to child.
- (b) Any maintenance order so made may be enforced in the same manner as an order for the payment of money under *The Deserted Wives' and Children's Maintenance Act*. Enforcing maintenance order. Rev. Stat., c. 184.

(2) *The Children's Protection Act* is amended by adding thereto the following section: Rev. Stat., c. 279, amended.

- 30a. Every society or agent shall maintain careful supervision over every child brought or caused or procured to be brought into Ontario by such society or agent until such child attains the age of eighteen years; and it shall be the duty of such society or agent to cause a personal visit by an agent, specially appointed for that purpose, to be made to each such



child at least once in every year until the child has attained such age; and for the purposes of this Act, and for the protection of the person and earnings of the child, the society or agent, until the child attains the age of eighteen years, shall have all the powers and shall perform all the duties by law provided in the case of the guardian of an infant.

Rev. Stat.,  
c. 280, s. 2,  
subs. 2, cl. a,  
amended. **16.**—(1) The clause lettered *a* in subsection 2 of section 2 of *The Mothers' Allowances Act* is amended by striking out the words "one of her own children born in lawful wedlock" in the fifth and sixth lines, and inserting in lieu thereof the words "one of her own legitimate children."

Rev. Stat.,  
c. 280, s. 2,  
subs. 3,  
amended. (2) Subsection 3 of section 2 of the said Act is amended by striking out the words "under the terms of subsection 2" in the fourth and fifth lines and inserting in lieu thereof the words "under the terms of subsection 1 or subsection 2" and this amendment shall have effect as from the 1st day of January, 1928.

Rev. Stat.,  
c. 312, s. 7,  
cl. a,  
repealed. **17.** The clause lettered *a* in section 7 of *The Corn Borer Act* is repealed and the following substituted therefor:

Offence. (a) Refuses or neglects to carry out the requirements of this Act or of the regulations made thereunder, or.

Rev. Stat.,  
c. 362, s. 7,  
repealed. **18.** Section 7 of *The Parole Act* is repealed and the following substituted therefor:

Allowances  
to Board. 7. Each member of the Board shall be paid his travelling and other expenses in the performance of his duties under this Act and the sum of \$15 for his attendance at any meeting of the Board.

1928, c. 17,  
s. 2, subs. 2,  
amended. **19.** Subsection 2 of section 2 of *The University Avenue Extension Act, 1928*, is amended by striking out the figures "1930" in the eleventh line and inserting in lieu thereof the figures "1931."

Confirma-  
tion of sales  
of certain  
radial  
railway  
property by  
Commission. **20.**—(1) It is declared that the Hydro-Electric Power Commission of Ontario has, and has had since the 1st day of December, A.D. 1920, the right to dispose of any real or personal property not required for railway purposes which are referred to in the agreements set forth in schedule "A" to *The Toronto Radial Railway Act, 1921*, free and clear from any charge or lien on account of bonds to the amount of \$2,375,000 mentioned in subsection 2 of section 9 of the said Act, and any conveyance heretofore made by the said Commission or its successors or assigns purporting to convey any

1921, c. 24.

such real or personal property to a purchaser thereof has had the effect of vesting same in the purchaser free and clear from any charge or lien on account of the said bonds.

(2) It is declared that the corporation of the city of Toronto has had since the 11th day of January, A.D. 1927, the right to dispose of any such real or personal property, not required for railway purposes, free and clear from any lien or charge on account of the said bonds, or any of them, and any conveyance heretofore made by the corporation of the city of Toronto of any of the real or personal property which became vested in the corporation of the said city under *The Toronto Radial Railway Act, 1927*, purporting to convey any such property, had the effect of vesting such property in the purchaser, free and clear from any charge or lien on account of the said bonds.

Confirmation  
of sales  
by city.

1927, c. 58.

(3) The corporation of the city of Toronto, with the approval of the Lieutenant-Governor in Council may sell, convey, lease or otherwise dispose of any of the property not required for railway purposes which is set forth in the schedule to the agreements referred to in section 4 of *The Toronto Radial Railway Act, 1927*, free and clear from the bonds mentioned in subsection 1 hereof, and free and clear from any charge or lien on account of the said bonds, or any of them, and the proceeds thereof shall be used or disposed of in expenditures on capital account of any of the railways mentioned in *The Toronto Radial Railway Act, 1927*, described as the "Metropolitan Division," the "Scarborough Division" and the "Mimico Division," or invested in securities of Ontario for the retirement of the said bonds at maturity.

City  
authorized  
to sell certain  
radial lands  
free of bond  
charge.

**21.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 24.

An Act to amend The Provincial Aid to  
Drainage Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Provincial Aid to Drainage Act, 1929*.

Rev. Stat.,  
c. 63, s. 2,  
amended.      **2.** Section 2 of *The Provincial Aid to Drainage Act* is amended by adding at the beginning thereof the words "subject to the provisions of subsection 2," and also by adding the following as subsections 2 and 3:

Act not to  
apply to  
municipal  
sewers, etc.

(2) This Act shall not apply to the construction of covered drains such as storm sewers, sanitary sewers or sewer outlets.

Contribu-  
tions  
received by  
initiating  
municipal-  
ity to be  
excluded.

(3) For the purposes of this Act any contribution in cash towards the cost of the work received by the municipality initiating the work shall be deducted from such cost.

## CHAPTER 25.

An Act to consolidate and amend The Tile  
Drainage Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Tile Drainage Act, 1929*. Short title.

2.—(1) The council of a town, village or township may pass by-laws (Form 1) for borrowing for the purposes hereinafter mentioned, in sums of not less than \$2,000, and not exceeding \$200,000 in the whole, such amount as they may deem expedient, and for issuing therefor debentures of the municipality (Form 2), payable within ten or twenty years from the date of such debentures which shall bear date in the year in which the money is borrowed from the municipality as is hereinafter provided, and bearing interest at the rate of five per centum per annum, and it shall not be necessary to obtain the assent of the electors to any such by-law before the passing thereof. Borrowing powers of councils.

(2) The amount of the indebtedness of the municipality in respect of money so borrowed and remaining unpaid, including the amount provided for in any by-law being passed, shall not at any time exceed \$200,000; nor shall a by-law be passed except at a meeting of the council especially called for the purpose of considering it, and held not less than four weeks after a notice (Form 3) of the day appointed for the meeting has been published in such newspaper as the council by resolution may direct. Proviso. R.S.O. 1927, c. 65, s. 1.

3.—(1) After the passing of the by-law a copy of it shall be published in such public newspaper, published in the municipality or in the county town or in an adjoining or neighbouring municipality, as the council may by resolution designate, and in at least one number of such newspaper each week for three successive weeks. Publication of by-law.

(2) To each copy of the by-law shall be appended a notice Notice to be appended. Form 4).

When  
by-law  
to be valid.

(3) If notice of an application to quash the by-law or any part thereof is not given within twenty days after the last publication under this section, or, if such notice is given, and the application is not made within one month after such last publication, the by-law shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 2.

Application  
of proceeds.

4. The debentures may be issued and sold by the municipality from time to time, for the purpose only of lending the proceeds thereof for tile, stone or timber drainage, as hereinafter provided, as money is required for the purpose. R.S.O. 1927, c. 65, s. 3.

Form of  
debentures,  
and  
coupons.

5. The debentures shall be made payable to the Treasurer of Ontario and shall have coupons attached thereto which shall be for equal annual amounts of principal and interest. R.S.O. 1927, c. 65, s. 4.

Application  
for  
disposal of  
debentures.

6.—(1) The council, after the expiration of one month from the last publication under section 3, may deposit with the Treasurer of Ontario a copy of the by-law, with affidavits of the head and clerk of the municipality (Forms 5 and 6), and may at any time thereafter apply for the purchase by the Province of the debentures authorized thereby.

Form of  
application.

(2) The application shall be sealed with the seal of the municipality and signed by the head thereof, and shall specify the names of the persons to whom the money is to be lent. R.S.O. 1927, c. 65, s. 5.

Report by  
Provincial  
Treasurer.

7. The Treasurer of Ontario shall investigate and report to the Lieutenant-Governor in Council as to the propriety of all proposed investments in the order in which the applications therefor are received. R.S.O. 1927, c. 65, s. 6.

Application  
by owner  
for loan.

8.—(1) A person assessed as owner, and being the actual owner of land in the municipality, desiring to borrow money for the purpose of tile, stone or timber drainage may make application (Form 7), to the council.

Statutory  
declaration  
of applicant.

(2) The application shall not be acted upon unless it is accompanied by a declaration of the applicant stating that he is the actual owner of the land mentioned in the application, and that the same is free from encumbrance, or if the land or any part of it is mortgaged or otherwise encumbered, stating the name and address of the mortgagee or encumbrancer, and, where it has been assigned, the name of the assignee of the mortgage or encumbrance with his address.

(3) Where it appears that there is a mortgage or encumbrance upon the land or any part of it the application shall not be disposed of until two weeks after the mortgagee, encumbrancer or assignee has been notified of the application by registered letter, sent to him by the clerk to his last known address. R.S.O. 1927, c. 65, s. 7.

9. If the application is granted the council may issue debentures for such sum within the amount authorized by this Act and by the by-law of the municipality, as they may deem proper, but not exceeding the sum applied for, nor exceeding seventy-five per centum of the estimated cost of such drainage. R.S.O. 1927, c. 65, s. 8.

10. The Lieutenant-Governor in Council may authorize the investment of any surplus of the Consolidated Revenue Fund not exceeding in the whole at any time \$3,000,000 in the purchase of debentures issued under such by-laws in respect of which the Treasurer of Ontario shall have certified to the propriety of the investment. R.S.O. 1927, c. 65, s. 9.

11. After such investment, the debentures shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 10.

12. —(1) The council shall lend the money so borrowed only for the purpose of tile, stone or timber drainage and for a term of ten or twenty years, in sums of \$100 or multiples thereof, subject to the provisions of section 13, as the council may deem proper, to persons entitled to borrow. R.S.O. 1927, c. 65, s. 11 (1).

(2) No part of the money so borrowed shall be lent to any member of the council, but a person having so borrowed from a municipality shall not by reason thereof be disqualified from being afterwards elected a member of the council. R.S.O. 1927, c. 65, s. 11 (2).

13. The amount loaned to any one person shall not exceed \$2,000 for each 100 acres or fraction thereof, nor seventy-five per centum of the total cost of the work. 1928, c. 21, s. 2.

14. The council shall consider the applications in the order in which they are made, and shall lend the money in the same order to the persons whose applications shall have been approved. R.S.O. 1927, c. 65, s. 13.

15. A council borrowing money under this Act shall employ a competent inspector of drainage, the cost of whose

services and whose expenses shall be apportioned rateably against the works carried on under his inspection, and shall be paid by the council out of the money borrowed. R.S.O. 1927, c. 65, s. 14.

Inspector's  
report.

**16.**—(1) On the completion of any drainage works under his charge the inspector shall report to the council the number of rods of drain constructed on each lot or parcel of land, the cost per rod, and such other particulars as may be required by the council.

Record.

(2) The report shall be entered in a book provided by the council, and the money shall not be advanced by the council until the report of the due completion of the work has been so made. R.S.O. 1927, c. 65, s. 15.

Collection  
of special  
rate.

**17.** The council shall impose by by-law (Form 8), and shall levy and collect for the term of ten or twenty years as the council may elect, over and above all other rates upon the land in respect of which the money is lent, a special equal annual rate sufficient to discharge the principal and interest of the money lent in ten or twenty years as the case shall be, and the rate shall be collected in the same manner as other special rates imposed under *The Municipal Act*. R.S.O. 1927, c. 65, s. 16.

Rev. Stat.,  
c. 233.

Discharge of  
indebted-  
ness by  
owner.

**18.** The owner of land, in respect of which money has been borrowed, may at any time obtain the discharge of the indebtedness by paying to the treasurer of the municipality the amount borrowed, with interest thereon at the rate of five per centum per annum less any sum already paid on account of principal and interest; and upon the same being paid to the treasurer, he shall forthwith transmit it to the Treasurer of Ontario, who shall apply it towards payment of the debentures of the municipality. R.S.O. 1927, c. 65, s. 17.

Returns to  
Provincial  
Secretary by  
municipal  
council.

**19.** A council which has borrowed money shall, on or before the 15th day of January in each year, make a return to the Provincial Secretary, showing, for the year which ended on the 31st day of December next preceding, the amount expended in drainage, the number of rods of drain constructed, the names of the borrowers, the land upon which the money has been lent, the names of the persons whose applications have been refused and the reasons in each case for the refusal. R.S.O. 1927, c. 65, s. 18.

Repayment  
by municip-  
ality to  
Province.

**20.**—(1) The amount payable in each year for principal and interest shall be remitted by the Treasurer of the municipality to the Treasurer of Ontario within one month after the same became payable, together with interest at the rate of



seven per centum per annum during the time of any default in payment.

(2) In case of a continuance of such default the council, <sup>Consequence of default in payment.</sup> in the next ensuing year or as the case may require, shall assess and levy on the whole rateable property within its jurisdiction, in the same manner in which taxes are levied for the general purposes of the municipality, a sum over and above the other valid debts of the corporation falling due within the year sufficient to enable the treasurer to pay the amount in arrear, together with interest thereon at the rate of seven per centum per annum, from the time the same became payable until payment whether or not the same has been previously paid by or recovered from the persons or lands chargeable therewith.

(3) The amount so in arrear and the interest shall be the <sup>How arrears ranked as a charge.</sup> first charge upon all the funds of the municipality other than sinking funds, for whatever purpose or under whatever by-law they may have been raised.

(4) No treasurer or other officer shall, after such default, <sup>Duty of municipal treasurer after default</sup> pay out of the funds of the municipality any sum except for the ordinary current disbursements, and salaries of clerks and other employees of the municipality or debts due to the Province until the amount so in arrear and the interest has been paid to the Treasurer of Ontario.

(5) If such municipal treasurer or other officer pays any <sup>Liability of municipal officers.</sup> sum contrary to the provisions of the next preceding subsection, in addition to any criminal liability which he may thereby incur, he shall be personally liable for every sum paid as for money had and received by him for the Crown.

(6) Any member of the council who wilfully or negligently permits any of the foregoing provisions to be violated shall also be personally and individually liable for the full amount so in arrear and the interest, to be recovered as for money had and received by him for the Crown. <sup>Penalty for violation.</sup>

(7) No assessment, levy or payment made under this section shall exonerate the persons or lands chargeable under the by-law from liability to the municipality. <sup>Liability of lands to municipality not affected.</sup> R.S.O. 1927, c. 65, s. 19.

**21.** The Lieutenant-Governor in Council may make regulations and prescribe forms for the carrying out of the provisions of this Act; and, subject thereto, the forms in the schedule hereto shall be used. <sup>Regulations and forms.</sup> R.S.O. 1927, c. 65, s. 20.



Rev. Stat.,  
c. 65, and  
1828, c. 21,  
s. 2,  
repealed.

**22.** *The Tile Drainage Act*, being chapter 65 of the Revised Statutes of Ontario, 1927, and section 2 of *The Statute Law Amendment Act, 1928*, are repealed.

Commence-  
ment of Act.

**23.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE.

### FORM 1.

(Section 2.)

### FORM OF BY-LAW.

*By-law No.*

*A by-law to raise \$* \_\_\_\_\_ *to aid in the construction of tile, stone or timber drains.*

The Council of the Municipality of \_\_\_\_\_, pursuant to the provisions of *The Tile Drainage Act*, enacts as follows:

1. That the Reeve (*or* Mayor) may from time to time, subject to the provisions of this by-law, borrow on the credit of the corporation of the said Municipality such sum not exceeding in the whole \$ \_\_\_\_\_, as may be determined by the Council, and may in manner hereinafter provided, issue debentures of the said corporation in such sums as the Council may deem proper for the amount so borrowed, with coupons attached as provided in section 5 of the said Act.

2. That when the Council shall be of opinion that the application of any person to borrow money for the purpose of constructing a tile, stone or timber drain should be granted in whole or in part, the Council may, by resolution, direct the Reeve (*or* Mayor) to issue debentures as aforesaid, and to borrow a sum not exceeding the amount applied for, and may lend the same to the applicant on the completion of the drainage works.

3. A special annual rate shall be imposed, levied and collected over and above all other rates upon the land in respect of which the said money shall be borrowed, sufficient for the payment of the principal and interest as provided by the Act.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
A. B., \_\_\_\_\_ Reeve (*or* Mayor).  
C. D., \_\_\_\_\_ Clerk.

(Corporate  
seal.)

R.S.O. 1927, c. 65, Sched. Form 1. *Amended.*

### FORM 2.

(Section 2.)

### FORM OF TILE DRAINAGE DEBENTURE.

\$..... No.  
Drainage Debenture of the \_\_\_\_\_ of \_\_\_\_\_  
The Corporation of the \_\_\_\_\_, in the County of \_\_\_\_\_  
hereby

hereby promises to pay to the Treasurer of Ontario or order at the Bank of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, the sum of \$..... of lawful money of Canada, and interest thereon at five per centum in twenty equal annual instalments of \$..... each, the first of such instalments to be paid on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, pursuant to by-law No. \_\_\_\_\_ intituled "A by-law to raise \$ \_\_\_\_\_, to aid in the construction of tile, (stone or timber) drains."

(Corporate seal.)

A. B.,  
Reeve (or Mayor.)

G. H.,  
Treasurer.

#### FORM OF COUPON.

<p>Coupon for twentieth Annual Instalment of _____ Drainage Debenture No. 1, issued under By-law No. _____ of the of _____ \$.... payable at the Bank of _____ in the _____ of _____ on _____ day of 19____ A. B., Reeve (or Mayor).</p>	<p>G. H., Treasurer.</p>
--	------------------------------

R.S.O. 1927, c. 65, Sched. Form 2. *Amended.*

*Note.*—The coupon should be for \$8.03 for every \$100 loaned.

#### FORM 3.

(Section 2.)

#### NOTICE OF MEETING TO CONSIDER BY-LAW.

Take notice that a by-law for raising \$ \_\_\_\_\_ under the provisions of *The Tile Drainage Act*, will be taken into consideration by the Municipal Council of the \_\_\_\_\_ of \_\_\_\_\_ at the \_\_\_\_\_ of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

C. D.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 3.

#### FORM 4.

(Section 3.)

#### NOTICE.

*Municipality of the \_\_\_\_\_ of \_\_\_\_\_*

Take notice that the above is a true copy of a By-law passed by the Municipal Council of the \_\_\_\_\_ of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and all persons are required to take notice that any one who desires to apply to have such by-law or any part thereof quashed must serve notice of his application

cation

cation upon the Head or Clerk of this municipality within twenty days after the date of the last publication of this notice, and must make his application to the Supreme Court of Ontario within one month after the said date. This notice was first published on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the last publication will be on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

A. B.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 4.

# FORM 5.

(Section 6.)

## AFFIDAVIT OF HEAD OF MUNICIPALITY.

County of \_\_\_\_\_ TO WIT: { I, \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ of the \_\_\_\_\_ Reeve (or Mayor) of the \_\_\_\_\_ of \_\_\_\_\_ make oath and say:

I have not been served with any notice of intention to make application to quash a by-law passed on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by the Municipal Council of the said \_\_\_\_\_ of \_\_\_\_\_ No. \_\_\_\_\_ intituled (*insert the title of by-law*), nor have I been served with any notice of intention to make application to quash any part of the by-law, nor with any notice to that or the like effect.

Sworn, etc,

A. B.

R.S.O. 1927, c. 65, Sched. Form 5.

# FORM 6.

(Section 6.)

## AFFIDAVIT OF CLERK.

County of \_\_\_\_\_ TO WIT: { I, \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ of \_\_\_\_\_ Clerk of the said \_\_\_\_\_ of \_\_\_\_\_ make oath and say:

1. On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the Municipal Council of the said \_\_\_\_\_ of \_\_\_\_\_ at a meeting specially called for that purpose passed a by-law for borrowing money to be lent for the construction of tile, stone or timber drains, being No. \_\_\_\_\_ and intituled (*insert title of by-law*), a copy of which certified by me is now shown to me marked "A."

2. Notice of the meeting was given by publication on (*insert here the dates of publication*) in the (*insert names of newspapers*), copies of which newspapers are shown to me and marked "B," "C," and "D."

3. A notice, a copy of which is now shown to me marked "E," was published on (*insert here the dates of publication*), in the (*insert name of newspaper*), being the newspaper in which the Council did by resolution direct the publication thereof, copies of which newspaper containing the said notice are now shown to me and marked "F," "G," and "H"

4. I have not been served with any notice of intention to make application to quash the said by-law, or any part thereof, nor with any notice to that or the like effect.

Sworn, etc.

C. D.

R.S.O. 1927, c. 65, Sched. Form 6.

# FORM 7.

(Section 8.)

## APPLICATION FOR LOAN.

To the Municipal Council of

I, *E. F.*, owner of (*if part state what part*) lot No. \_\_\_\_\_ in  
 Concession of the Township of \_\_\_\_\_ (or as  
*the case may be*) apply for a loan of \$ \_\_\_\_\_ to assist in  
 the construction of \_\_\_\_\_ rods of  
 drain, on the said land. The proposed depth of drain is  
 inches, the proposed size of tile is \_\_\_\_\_ inches (1).

*E. F.*  
 (1) *If the proposed drain is to be stone or timber for the words "size of tile" substitute the words "inside size of drain."*

R.S.O. 1927, c. 65, Sched. Form 7.

# FORM 8.

(Section 17.)

## BY-LAW IMPOSING A RATE.

*By-law imposing a Special Drainage rate upon Lot \_\_\_\_\_ in the*  
*Concession.*

Whereas *E. F.*, the owner of (*if part state what part*) Lot \_\_\_\_\_ in  
 the Concession of the Township of \_\_\_\_\_ (or as the case may  
*be*), applied to the Municipal Council of the said Township under *The*  
*Tile Drainage Act*, for a loan for the purpose of draining the said land;  
 And whereas the said Council has, upon his said application, lent the  
 said *E. F.*, the sum of \$1,000 (*or as the case may be*), to be repaid with  
 interest by means of the rate hereinafter imposed:

Be it therefore enacted, by the said Municipal Council, that an annual  
 rate of \$80.30 per annum (*or as the case may require, namely \$8.03 for*  
*every \$100 lent*), is hereby imposed upon the said land for a period of  
 twenty years, such rate to be levied and collected at the same time and  
 manner as ordinary taxes are levied and collected.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_  
 (Corporate  
 seal.)

*A. B.*,  
 Reeve (or Mayor).

*C. D.*,  
 Clerk.

R.S.O. 1927, c. 65, Sched. Form 8.

## CHAPTER 26.

## An Act to amend The Vital Statistics Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Vital Statistics Act, 1929*.

Rev. Stat.,  
c. 78, s. 33,  
amended.

**2.** Section 33 of *The Vital Statistics Act* is amended by adding thereto the following subsection:

Sub-  
registrars,—  
appoint-  
ment of.

(3) In a city having a population of 100,000 or over, the division registrar may, with the approval of the Registrar-General, appoint such sub-registrars as may be necessary for the more convenient carrying out of the provisions of this Act with respect to the registration of deaths and for the issuing of burial permits.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 27.

## An Act to amend The Niagara Parks Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Niagara Parks Act, 1929*, Short title and commencement. and shall come into force on the day upon which it receives the Royal Assent.

**2.** Section 8 of *The Niagara Parks Act* is amended by Rev. Stat., c. 81, s. 8, amended. adding thereto the following clause,—

- (f) Erect, construct or acquire by purchase, lease or otherwise, and maintain and operate a bridge or bridges over the Niagara River and for that purpose enter into agreements or contracts with any corporation or individual or with any corporate or other authority having control of the territory beyond the International Boundary Line required for the purpose of such bridge or bridges, or enter into and carry out any agreement or arrangement for the joint construction, maintenance and operation by the Commission and such authority of any such bridge or bridges. Powers of Commission as to bridges, etc.

## CHAPTER 28.

## An Act to amend The Presqu'ile Park Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Presqu'ile Park Act, 1929.*

Rev. Stat.,  
c. 85,  
amended.      **2.** *The Presqu'ile Park Act* is amended by adding thereto the following section:

Adding to  
Park.      **29.** The Lieutenant-Governor in Council may add to Presqu'ile Park any adjacent tract of land which is the property of the Crown.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 29.

An Act to facilitate the reciprocal enforcement  
of Judgments and Awards.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Reciprocal Enforcement of Judgments Act, 1929.* Short title.

**2.—(1)** In this Act, unless the context otherwise requires: Inter-pretation.

- (a) "Judgment" shall mean any judgment or order given "Judgment," or made by a court in any civil proceedings whether before or after the passing of this Act, whereby any sum of money is made payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the province or territory where it was made, become enforceable in the same manner as a judgment given by a court therein;
- (b) "Judgment creditor" shall mean the person by whom "Judgment creditor." the judgment was obtained, and includes the executors, administrators, successors and assigns of that person;
- (c) "Judgment debtor" shall mean the person against "Judgment debtor." whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was given;
- (d) "Original court" in relation to any judgment shall "Original court." mean the court by which the judgment was given;
- (e) "Registering court" in relation to any judgment shall "Registering court." mean the court in which the judgment is registered under this Act.



Powers of  
court, how  
exercised.

(2) Subject to rules of court, any of the powers conferred by this Act on any court may be exercised by a judge of the court.

ENFORCEMENT IN THIS PROVINCE OF JUDGMENTS OBTAINED IN  
OTHER PROVINCES OR TERRITORIES OF THE DOMINION  
OF CANADA.

Registration  
of judgment.

3.—(1) Where a judgment of any superior, county or district court has been obtained outside this province in any other province or territory of the Dominion of Canada to which this Act applies, the judgment creditor may apply to a judge of the Supreme Court at any time within six years after the date of the judgment to have the judgment registered in that court, and on any such application the court may, subject to the provisions of this Act, order the judgment to be registered accordingly.

Notice of  
application  
to register.

(2) Reasonable notice of the application shall be given to the judgment debtor in all cases in which he was not personally served with process in the original action and did not appear or defend or otherwise submit to the jurisdiction of the original court. In all other cases the order may be made *ex-parte*.

Registration  
of judgment.

(3) The judgment may be registered by filing with the registrar or clerk of the registering court an exemplification or a certified copy of the judgment, together with the order for such registration, whereupon the same shall be entered as a judgment of the registering court.

Conditions  
of regis-  
tration.

4. No judgment shall be ordered to be registered under this Act if it is shown to the registering court that,

- (a) the original court acted without jurisdiction; or
- (b) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit during the proceedings to the jurisdiction of that court; or
- (c) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court; or
- (d) the judgment was obtained by fraud; or

(e)

- (e) an appeal is pending, or the judgment debtor is entitled and intends to appeal, against the judgment; or
- (f) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason would not have been entertained by the registering court; or
- (g) the judgment debtor would have a good defence if an action were brought on the original judgment.

5. Where a judgment is registered under this Act:

Effect of  
registration.

- (a) the judgment shall, as from the date of the registration, be of the same force and effect, and subject to the provisions of this Act, proceedings may be taken thereon, as if it had been a judgment originally obtained or entered up in the registering court on the date of the registration;
- (b) the registering court shall have the same control and jurisdiction over the judgment as it has over judgments given by itself;
- (c) the reasonable costs of and incidental to the registration of the judgment (including the costs of obtaining an exemplification or certified copy thereof from the original court, and of the application for registration) shall be recoverable in like manner as if they were sums payable under the judgment, such costs to be first taxed by the proper officer of the registering court, and his certificate thereof endorsed on the order for registration.

6. In all cases in which registration is made upon an *ex parte* order, notice thereof shall be given to the judgment debtor within one month after such registration. Such notice shall be served in the manner provided by the practice of the registering court for service of writs of process, or of notice of proceedings. No sale under the judgment of any property of the judgment debtor shall be valid if made prior to the expiration of the period fixed by section 7 or such further period as the court may order.

Notice of  
registration  
on *ex parte*  
order.

7. In all cases in which registration is made upon an *ex parte* order, the registering court may on the application of the judgment debtor set aside the registration upon such terms as the court may think fit. Such application shall be made within one month after the judgment debtor has notice

Setting aside  
*ex parte*  
order.

of the registration, and the applicant shall be entitled to have the registration set aside upon any of the grounds mentioned in section 4.

Power to  
make rules  
of court.

**8.** Rules of court may be made for regulating the practice and procedure (including costs) in respect of proceedings of any kind under this Act.

Application  
of Act.

**9.**—(1) Where the Lieutenant-Governor is satisfied that reciprocal provision has been or will be made by any other province or territory of the Dominion of Canada for the enforcement within that province or territory of judgments obtained in any superior, county or district court of this province, the Lieutenant-Governor may, by order in council, direct that this Act shall apply to that province or territory, and thereupon this Act shall apply accordingly.

Order may  
be varied.

(2) An order in council under this section may be varied, or revoked by a subsequent order.

Effect  
of Act.

**10.** Nothing herein contained shall deprive any judgment creditor of the right to bring an action for the recovery of the amount of his judgment instead of proceeding under this Act.

Commence-  
ment of  
Act

**11.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 30.

## An Act to amend The Division Courts Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Division Courts Act, 1929*. Short title.

2.—(1) Subsection 4 of section 137 of *The Division Courts Act* is repealed. Rev. Stat.  
c. 95, s. 137,  
subs. 4  
repealed.

(2) Subsection 5 of the said section 137 is amended by striking out the words "other than those provided for by subsection 4" in the first and second lines, so that the subsection will now read as follows: Rev. Stat.  
c. 95, s. 137,  
subs. 5  
amended.

(5) In the case of cities and towns separated from the county, the amounts paid in by the clerks and the amount paid by the county treasurer to the clerks for jury fees shall be taken into account in settling the proportion of the charges to be paid by the city or town towards the cost of administration of justice. Proportion  
of charges  
to be paid  
by cities and  
towns.

3. Section 182 of *The Division Courts Act* is amended by adding thereto the following subsection: Rev. Stat.  
c. 95, s. 182,  
amended.

(1a) Where a judgment debtor resides or carries on business within the limits of a city where there are two or more division courts having territorial jurisdiction within the limits of such city, a judgment summons may issue out of any such courts in which the judgment has been recovered or in which a transcript of judgment has been entered. Judgment  
summons,—  
issue of.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

# CHAPTER 31.

## An Act to amend The Jurors' Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Jurors' Act, 1929.*

Rev. Stat.  
c. 96, s. 3,  
cl. a,  
amended.

**2.**—(1) The clause lettered *a* in section 3 of *The Jurors' Act* is amended by striking out the word "sixty" and inserting in lieu thereof the words "sixty-five," so that the first five lines and clause *a* of the said section will now read as follows:

Exemption  
from service  
on account  
of age.

3. The following persons shall be exempt from being returned and from serving as grand or petit jurors, and their names shall not be entered on the rolls prepared and reported by the selectors of jurors as hereinafter mentioned,—

(a) Every person sixty-five years of age or upwards.

Rev. Stat.  
c. 96, s. 3,  
cl. w,  
amended.

Exemption  
from jury  
service.

(2) The said section 3 is further amended by adding at the end of the clause lettered *w* the words "and every person permanently employed by any public commission, carrying on the business of developing, transmitting or distributing electrical power or energy."

Rev. Stat.  
c. 96, s. 80,  
amended.

**3.** Section 80 of *The Jurors' Act* is amended by adding at the end thereof the words: "see Consolidated Rules of Practice 1913 Tariff C. Item 6)."

Rev. Stat.  
c. 96, s. 101,  
amended.

**4.** Section 101 of *The Jurors' Act* is amended by striking out in Item 4, the figures "15," and inserting in lieu thereof the figures "20," and by adding the following items:

9. For every notice to jury not to attend, section 62 (7)..... \$0 25

10. Attending, locking up or feeding petit juries, or taking grand jurors to inspect institutions (exclusive of disbursements). For each jury.. 4 00

11. For each daily checking of jury panel (section 91)..... \$1 00
12. For certifying and returning list of jury panel to treasurer (section 91)..... 1 00
13. When sheriff acts as county selector of juries per diem (section 99)..... 4 00

5. This Act except section 2, shall come into force on the day upon which it receives the Royal Assent, and section 2 shall come into force on the 1st day of June, 1929.

Commence-  
ment of  
Act.

## CHAPTER 32.

## An Act to amend The Lunacy Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Lunacy Act, 1929*.

Rev. Stat.,  
c. 98, s. 36,  
amended.

**2.** Section 36 of *The Lunacy Act* is amended by adding thereto the following subsection:

Discharge  
of person  
committed  
as addict.

(6) Upon application at any time after the expiration of one year the like proceedings may be taken and the like order made as provided in section 9 in the case of a person who has been declared a lunatic.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 33. .

## An Act to amend The Evidence Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Evidence Act, 1929*.

Short title.

2. *The Evidence Act* is amended by adding thereto the following section:

Rev. Stat.,  
c. 107,  
amended.

- 28a.—(1) In this section “bank” shall mean and include a bank to which the *Bank Act*, Revised Statutes of Canada, 1927, chapter 12, applies and every branch, agency or office of a bank and an office opened under *The Agricultural Development Finance Act* in any part of Ontario.
- (2) Subject to the provisions of this section a copy of an entry in a book or record kept in a bank shall in any action to which the bank is not a party be received as *prima facie* evidence of such entry and of the matters, transactions and accounts therein recorded.
- (3) A copy of an entry in such book or record shall not be received in evidence under this section unless it be first proved that the book or record was at the time of making the entry one of the ordinary books or records of the bank, that the entry was made in the usual and ordinary course of business, that the book or record is in the custody or control of the bank, or its successor, and that such copy is a true copy thereof, and such proof may be given by the manager or accountant, or a former manager of the bank or its successor and may be given orally or by affidavit.
- (4) A bank or officer of a bank shall not in an action to which the bank is not a party be compellable to produce any book or record the contents of which

Inter-  
pretation  
“Bank.”  
R.S.C., c. 12;Rev. Stat.,  
c. 67.Copies of  
entries in  
books as  
*prima facie*  
evidence.Proof  
required as  
to entry in  
ordinary  
course of  
business.Production  
of books to  
be required  
only under  
order.



can be proved under this section, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the court or a judge made for special cause.

Inspection  
of account.

- (5) On the application of any party to an action the court or judge may order that such party be at liberty to inspect and take copies of any entries in the books or records of a bank for the purposes of such proceeding, but a person whose account is to be inspected shall be served with notice of the application at least two clear days before the hearing thereof, and if it is shown to the satisfaction of the court or judge that such person cannot be notified personally such notice may be given by addressing the same to the bank.

Costs.

- (6) The costs of any application to a court or judge under or for the purposes of this section, and the costs of anything done or to be done under an order of a court or judge made under or for the purposes of this section, shall be in the discretion of the court or judge who may order the same or any part thereof to be paid to any party by the bank, where the same have been occasioned by any default or delay on the part of the bank. Any such order against a bank may be enforced as if the bank was a party to the proceeding.

Enforcement  
of order  
against  
bank.

Commence-  
ment of  
Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 34.

## An Act to extend the operation of The Costs of Distress Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Costs of Distress Act, 1929*. Short title.

2. Section 3 of *The Costs of Distress Act* is amended by inserting after the words "chattel mortgage" in the third line the words "or for default in payment of any instalment of principal or interest, secured by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest," so that the section will now read as follows:

3. No person making a seizure or sale of goods for default in payment of the principal money or interest secured by a chattel mortgage, or for default in payment of any instalment of principal or interest, secured by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest, shall levy, take or receive any greater or other fees or costs than those set forth in Schedule 3. Tariff of costs under chattel mortgage.

3. Section 4 of *The Costs of Distress Act* is amended by striking out the word "Schedule" in the second line and inserting in lieu thereof the word "Schedules," so that the section will now read as follows: Rev. Stat., c. 110, s. 4, amended.

4. No person shall make any charge for anything mentioned in such Schedules unless it has been actually done. No charge for anything not done.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 35.

## An Act to amend The Execution Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Execution Act, 1929*.

Rev. Stat.,  
c. 112, s. 9,  
subs 1,  
amended.

From what  
date binding.

**2.** Subsection 1 of section 9 of *The Execution Act* is amended by striking out the words, "but subject to the provisions of *The Bills of Sale and Chattel Mortgage Act*," in the fourth and fifth lines thereof, and inserting in lieu thereof, "but save as to bills of sale and chattel mortgages," so that the subsection will now read as follows:

- (1) Subject to the provisions of *The Land Titles Act*, a writ of execution shall bind the goods and lands against which it is issued from the time of the delivery thereof to the sheriff for execution, but save as to bills of sale and chattel mortgages no writ of execution against goods shall prejudice the title to such goods acquired by any person in good faith and for valuable consideration unless such person had, at the time when he acquired his title, notice that such writ or any other writ by virtue of which the goods of the execution debtor might be seized or attached had been delivered to the sheriff and remains in his hands unexecuted.

Rev. Stat.,  
c. 112, s. 12,  
subs. 2,  
amended.

**3.** Subsection 2 of section 12 of *The Execution Act* is amended by adding at the end thereof the following words, "or where a share register is kept," so that the subsection will now read as follows:

Seizure of  
shares in  
bank, etc.

- (2) Such seizure may be made and notice given by the sheriff where the bank or company has within his bailiwick a place at which service of process may be made, or where a share register is kept.

Rev. Stat.,  
c. 112, s. 15,  
amended.

**4.** Section 15 of *The Execution Act* is amended by adding thereto the following subsection:

- (2) If a sheriff seizes the shares of an execution debtor in a private company he shall first offer them for sale to the other shareholders or any one of them in such private company, and if none of them will purchase the shares for a reasonable price the sheriff may then offer the debtor's interest therein for sale to the public generally and sell and convey to the highest bidder.
- Seizure and sale of shares in private company.

5. Section 19 of *The Execution Act* is amended by adding thereto the following subsections:

Rev. Stat., c. 112, s. 19, amended.

- (2) The sheriff may seize any book debts and other choses in action of the execution debtor and may sue in his own name for the recovery of the moneys payable in respect thereto.
- Book debts and choses in action.
- (3) If it appears to the sheriff that an attempt to collect the book debts, choses in action or the securities for the money, referred to in subsections 1 and 2 of this section, would be less beneficial to the creditors than a sale thereof, the sheriff may proceed to sell such book debts, choses in action and securities by public auction in the same way as the debtor's goods may be sold when taken in execution.
- Sale of same by sheriff

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 36.

An Act to provide for the better definition and  
extension of the Jurisdiction of  
certain Magistrates. .

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

Short title.

**1.** This Act may be cited as *The Magistrates' Jurisdiction Act, 1929.*

Designating  
magistrates  
and juvenile  
court  
judges to  
hear cases  
under  
provincial  
statutes.

**2.** Where jurisdiction is given to any justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of a juvenile court under any statute of Ontario for conducting any inquiry or the hearing, trial or disposition of any matter arising under any statute of Ontario, the Lieutenant-Governor in Council may, within his jurisdiction, designate and name any such justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of any juvenile court, to conduct any such inquiry, and hear, determine, try and dispose of any such matter under any statute of Ontario, and may confer exclusive, or joint, or general jurisdiction upon justices, police magistrates, deputy police magistrates, and judges or deputy judges of juvenile courts, or any one or more of them, to conduct such inquiry and hear, determine, try and dispose of any such matter.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 37.

## An Act to amend The Summary Convictions Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Summary Convictions Act*, Short title. 1929.

**2.** Subsections 1 and 2 of section 5 of *The Summary Convictions Act* are amended by striking out the words "but not including any allowance for the fees of counsel or solicitor" where they occur at the end of each of the said subsections respectively. Rev. Stat., c. 121, s. 5, subss. 1, 2, amended.

**3.** Section 5 of *The Summary Convictions Act* is amended by adding thereto the following subsection: Rev. Stat., c. 121, s. 5, amended.

- (5) The costs awarded by the justice to the prosecutor or complainant or to the defendant, as the case may be, may include a counsel fee of such an amount as the justice may deem reasonable but not exceeding \$10. Counsel fee.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 38.

## An Act to amend The Crown Attorneys Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Crown Attorneys Act, 1929*.

Rev. Stat.,  
c. 122, s. 10,  
subs. 2,  
amended.      **2.** Subsection 2 of section 10 of *The Crown Attorneys Act* is amended by striking out the figures "85" in the third line and inserting in lieu thereof the figures "\$15."

Rev. Stat.,  
c. 122, s. 12  
subs. 2, re-  
pealed.      **3.**—(1) Subsection 2 of section 12 of *The Crown Attorneys Act* is repealed and the following substituted therefor:

Commuta-  
tion of fees.

(2) The annual sum so fixed shall not exceed the average net income of the Crown Attorney from both offices during the next preceding five years except in the case of a Crown Attorney giving full and exclusive time to the duties of his office, in which case the amount to be fixed shall be in the discretion of the Lieutenant-Governor in Council.

Rev. Stat.,  
c. 122, s. 12,  
amended.      (2) The said section 12 is amended by adding thereto the following subsection:

Fees.

(6) Notwithstanding the provisions of subsection 2 of this section, the Lieutenant-Governor in Council may adjust and add to the commutation of any Crown Attorney and clerk of the peace who has had his fees commuted on or before the 2nd day of January, 1929, having regard to the increased fees and increased exemptions allowed Crown Attorneys since the date of commutation.

Rev. Stat.,  
c. 122, s. 15,  
amended.      **4.** Section 15 of *The Crown Attorneys Act* is amended by adding thereto the following subsection:

Crediting  
fees collected  
from defend-  
ant.

(2) Any counsel fee collected from a defendant under the provisions of *The Summary Convictions Act* shall be

credited

credited on any Crown Attorney's fees that are properly payable to him by a municipality or any department of the Provincial Government.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.



## CHAPTER 39.

## An Act to amend The Constables Act.

*Assented to 28th March, 1929.*

**HIS** MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Constables Act, 1929*.Rev. Stat.,  
c. 125, s. 8,  
repealed.2. Section 8 of *The Constables Act* is repealed and the following substituted therefor:High  
constable  
appointed  
by counties  
to continue  
in office.

8.—(1) Every high constable appointed by the municipal council of any county, who is in office at the date of the commencement of this Act, shall continue to hold office as a high constable during the pleasure of the council or until he resigns or until there is a vacancy in the office through any cause.

High  
constables,—  
remunera-  
tion of.

(2) Every high constable shall be paid by the county such remuneration by salary or otherwise, be allowed by the county such sums for expenses, and be supplied by the county with such arms, accoutrements, clothing and other necessities as may be prescribed by the regulations made under this Act.

Appoint-  
ment by  
Lieutenant-  
Governor in  
Council.

(3) In any county, in which there is no high constable in office at the date of the commencement of this Act, and in any county in which a vacancy occurs in that office after the said date, and in any other county when the office of high constable becomes vacant, the Lieutenant-Governor in Council may appoint an officer for such county or one or more counties, who shall be vested with all the powers and perform all the duties of a high constable under the provisions of this Act, and be subject to suspension as hereinafter provided by this Act.

Remunera-  
tion when  
appointed  
under  
subs. 3.

(4) Any officer appointed under subsection 3, shall be paid out of such sums as may from time to time be appropriated by the Legislature of the Province of

Ontario, such salary as may be determined by the Lieutenant-Governor in Council.

**3.** Section 9 of *The Constables Act* is repealed.

Rev. Stat.,  
c. 125, s. 9,  
repealed.

**4.** Subsection 2 of section 10 of *The Constables Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 125, s. 10,  
subs. 2,  
repealed.

- (2) The oath, together with a copy of the by-law under which a high constable has been appointed, shall be deposited in the office of the clerk of the peace of the county for which he has been appointed, and the oath of every officer appointed after the date of the commencement of this Act, to perform the duties of a high constable under the provisions of this Act, shall be deposited with the Commissioner of Police for Ontario.

Oath to be  
deposited  
with clerk of  
the peace.

**5.** Subsection 1 of section 13 of *The Constables Act* is amended by striking out the words "Inspector of Legal Offices" in the fourth line, and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 13,  
amended.

**6.**—(1) The heading of section 14 of *The Constables Act*, namely: "*Inquiries by Inspectors*" is repealed and the following heading substituted therefor: "*Inquiries by Commissioner.*"

Rev. Stat.,  
c. 125, s. 14,  
heading  
amended.

(2) Subsection 1 of the said section 14 is amended by striking out the words "Inspector of Legal Offices" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
subs. 1,  
amended.

(3) Subsection 2 of the said section 14 is amended by striking out the word "Inspector" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
subs. 2,  
amended.

**7.** Section 15 of *The Constables Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 125, s. 15,  
repealed.

- 15.—(1) A judge of the county court, or the Commissioner of Police for Ontario, may suspend from office any high constable appointed by the municipal council of a county, or any county constable for any period not extending beyond one week after the time appointed for the next sittings of the Court of General Sessions of the Peace.

Suspension  
of constable.

- (2) The suspension shall be by notice in writing and, if the judge or the Commissioner of Police for Ontario considers the suspended officer deserving of dis-

Suspension  
to be re-  
ported to  
clerk of the  
peace.

missal, he shall, immediately after suspending him, report the case fully to the clerk of the peace for submission to the Court of General Sessions of the Peace at its next sittings.

Dismissal.

Restoration  
to office.

- (3) The court may dismiss the officer or direct him to be restored to his office, after the period of his suspension has expired, or after such further period as may be deemed proper.

Suspension  
and dis-  
missal  
of high  
constable.

- (4) Subsections 1 to 3 shall not apply to an officer appointed to perform the duties of a high constable under the provisions of this Act by the Lieutenant-Governor in Council, but in all such cases the Commissioner of Police for Ontario may suspend any such officer so appointed, and after investigation upon notice to the officer, and subject to the approval of the Lieutenant-Governor in Council, may dismiss or direct such officer to be restored to his office after the period of his suspension has expired, or after such further period as may be deemed proper.

Extent of  
application  
of section.

- (5) This section shall not apply to any county for which there is a county board of commissioners of police, at the time of the passing of this Act.

Rev. Stat.,  
c. 125, s. 19,  
amended.

8. Section 19 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the fourth line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125 s. 22,  
subs. 2,  
amended.

9. Subsection 2 of section 22 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the second line, and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 25,  
repealed.

10. Section 25 of *The Constables Act* is repealed and the following substituted therefor:

Suspension,  
or termina-  
tion of  
service of  
special  
constable.

25. The justices who have appointed a special constable, or the Commissioner of Police for Ontario, may suspend or terminate the service of the special constable so appointed, and notice of such suspension or termination shall, when made by the justices, be forthwith transmitted to the Commissioner of Police for Ontario.

Rev. Stat.,  
c. 125, s. 26,  
repealed.

11. Section 26 of *The Constables Act* is repealed and following substituted therefor:

26. The county judge, or the Commissioner of Police for Ontario, may exercise the powers herein conferred upon two justices of the peace as to special constables.

Powers  
of county  
judge and  
Commis-  
sioner of  
Police.

**12.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 40.

# An Act to amend The Administration of Justice Expenses Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**      **1.** This Act may be cited as *The Administration of Justice Expenses Act, 1929.*

**Rev. Stat., c. 126, s. 2, amended.**      **2.** Section 2 of *The Administration of Justice Expenses Act* is amended by adding thereto the following clause:

**Alterations in schedule of fees.**

(a) The Lieutenant-Governor in Council may from time to time amend or repeal any of the items in the tariff of fees in the said schedule "A," or add thereto, and all items so amended, repealed or added shall have the same force and effect as if they had been so enacted by the Legislature.

**Rev. Stat., c. 126, s. 9, repealed.**      **3.** Section 9 of *The Administration of Justice Expenses Act* is repealed.

**Rev. Stat., c. 126, Sched. "A," "Crown Attorneys," amended.**      **4.** The tariff of Crown Attorneys' fees contained in Schedule "A" to *The Administration of Justice Expenses Act* is amended:

(a) By striking out item 4 therein and inserting in lieu thereof the following:

4. Attending court irrespective of the number of cases dealt with, per diem, \$25.

4a. For all services in addition to any item in this tariff for taking prosecution to judgment as well after as before the trial, \$5.

(b) By striking out item 12 therein and inserting in lieu thereof the following:

12. For attending police court in the city or town or village in which the Crown attorney resides

in summary trials under Part XVI of the *Criminal Code* where requested in writing to attend by the police magistrate or by two justices of the peace acting under subclause vii of clause *a* of section 771 of the *Criminal Code*, not to exceed in any one day \$25, per case, \$10.

When out of the city, town or village in which the Crown attorney resides in addition, a per diem allowance (not including expenses), \$5.

5. Items 3, 4, 10, 20, 36 and 40 in the tariff of fees for sheriffs in schedule "A" of *The Administration of Justice Expenses Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 126, sched.  
"A," items  
3, 4, 10, 20,  
36 and 40,  
repealed.

- |  |         |
|--|---------|
| 3. Summoning each grand jury for the Supreme Court or General Sessions.....  | \$15 00 |
| 4. Summoning each petit jury for the Supreme Court, Surrogate Court, County Court or General Sessions.....                     | 25 00   |
| 10. Every annual or general return required by law or by the Government respecting the gaol or the prisoners therein.....      | 15 00   |
| 20. Travelling in going to execute warrant or serve subpoena or in returning with a prisoner, per mile actually travelled..... | 20      |

(To be paid out of county funds or by the party as the case may be; where the service has not been effected the board of audit is to be satisfied that due diligence has been used.)

- |   |       |
|---|-------|
| 36. General supervision over the gaol (and gaol farms) and prisoners therein and the books kept in connection therewith in addition to any other allowance per quarter..... | 50 00 |
| 40. General fee as an allowance to cover services under any statute, rule, order-in-council or otherwise for which no fee is provided, per quarter.....                     | 75 00 |

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 41.

An Act to facilitate the Investigation of  
Titles of Real Estate.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

Short title.

**1.** This Act may be cited as *The Investigation of Titles Act, 1929.*

Inter-  
pretation.

**2.** In this Act:—

"Claim."

(a) "Claim" shall mean and include any right, title, interest, claim or demand of any kind or nature whatsoever affecting land set forth in, based upon or arising out of a registered instrument, and shall without limiting the generality of the foregoing, include mortgages, liens, easements, agreements, contracts, options, charges, annuities, leases, dower rights whether inchoate or otherwise, and restrictions as to use of land or other encumbrance affecting land, but shall not include any highway, public lane, unregistered right of way or other easement or right which any person is openly enjoying and using or any claim imposed by any statutory enactment;

"Instru-  
ment."

(b) "Instrument" shall include every Crown grant, and order in council of the Dominion and of Ontario, every deed, conveyance, mortgage, assignment of mortgage, certificate of discharge of mortgage, assurance, lease, bond, release, discharge, power of attorney under which any such instrument is executed, every bond or agreement for the sale or purchase of land, will, probate of will, grant of administration, caution under *The Devolution of Estates Act* or renewal thereof, municipal by-law, certificate of proceedings in any court, judgment, or order of foreclosure and every other certificate of judgment or order of any court affecting any interest in or title to land, and certificate of amalgamation of loan corporations, every certificate of payment of taxes, granted under the corporate seal of the

Rev. Stat.  
c. 148.

county,

county, city or town by the treasurer, every sheriff's and treasurer's deed of land sold by virtue of his office, every contract in writing, every order and proceeding in lunacy, bankruptcy and insolvency, every plan of a survey or subdivision of land, and every other instrument whereby land may be transferred, disposed of, charged, incumbered or affected in any wise, affecting land in Ontario;

- (c) "Land" shall include lands, tenements, hereditaments "Land." and appurtenances and any estate or interest therein;
- (d) "Owner" shall mean and include a person entitled to "Owner." a freehold or other estate or interest in land at law or in equity, in possession, in futurity, or in expectancy.

**3.**—(1) From and after the coming into force of this subsection no person in dealing with land shall be required to show that he is lawfully entitled to such land as owner thereof through a good and sufficient chain of title, save and except during the period of forty years immediately preceding the date of such dealing as aforesaid, and no claim which has been in existence longer than the said forty years period shall affect such land, unless such claim shall have been acknowledged or specifically referred to or contained in an instrument registered against such land within the said forty year period or unless a notice is registered against such land as provided in subsections 3, 4, and 5 hereof.

- (a) Where a person is shown by the books of a registry office to be the owner of a freehold or leasehold estate in land or of an equity of redemption therein prior to any forty year period and is continuously shown on the said books from time to time during the said forty year period and thereafter as the owner of either a freehold or leasehold estate in the same land or of an equity of redemption therein or any of them, such person's claim to the said land shall not be affected by failure to register the notice as required by subsection 1.
- (b) Notwithstanding the provisions of subsection 1, it shall not be necessary for a wife to register a claim with respect to her inchoate right to dower in land so long as her husband is wholly or in part the owner thereof.
- (c) In the case of a claim registered in respect of an inchoate right to dower in lands alienated by a husband without bar of dower, the period of forty years mentioned in subsection 1 shall run from the date of such alienation.



Commence-  
ment of  
subs. 1.

(2) Subsection 1 shall come into force on the 1st day of June, 1930.

Registration  
of notice  
of claim.

(3) Upon the coming into force of this Act and within one year thereafter any person having a claim against any land, which claim has been in existence for forty years or more prior to the coming into force of this Act but in respect to which claim no notice of its existence has been given, acknowledged, or specifically referred to or contained in an instrument registered against such land within forty years prior to the coming into force of this Act, or any person on his behalf may register in the proper registry office a notice in which shall be set forth the claimant's full name and address and a description of the land and a detailed statement of such claim, verified by the affidavit of the person registering such notice.

Registering  
notice of  
claim.

(4) Any person having a claim against land, or any person on his behalf, may within forty years from the date of the registration of any instrument in which the said claim is acknowledged, set forth, or referred to, or on which the said claim is based, or out of which the said claim arises, register a notice of such claim in the manner set out in section 3 hereof, and such registration shall constitute a notice of such claim for a further period of forty years.

(a) Before a notice expires it may be re-registered and so on from time to time as long as the person registering the same or any person claiming under him deems it necessary, and every re-registered notice shall continue in force for forty years from the date of the registration thereof.

Time for  
registering  
notice.

(5) Notwithstanding the provisions of subsections 3 and 4, any person having a claim against land which by the provisions of this Act would have expired, may register notice of such claim at any subsequent time provided there shall have been no intermediate registered dealing with such land, and such registration shall have the same effect as if done within the time limited by subsections 3 and 4.

Registration  
not to vali-  
date ex-  
pired claim.

(6) The registration of a notice as provided in subsections 3, 4, and 5 shall not in any way validate a claim which has otherwise expired.

Fees.

(7) The registrar shall be entitled to a fee of \$1 for registering the notice referred to in subsections 3, 4 and 5.

Act to  
prevail over  
other pro-  
visions.

(8) The provisions of this Act shall have effect notwithstanding any statute or any rule made under the authority of a statute or any rule of law, and wherever there is any conflict between the provisions of this Act, and any such statute, rule or rule of law, the provisions of this Act shall prevail.

4. This Act shall not apply to land entered on the register in any land titles office. Act not to apply to land titles offices.

5. This Act shall come into force on the 1st day of June, 1929. Commence-ment of Act.

## CHAPTER 42.

## An Act to amend The Devolution of Estates Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Devolution of Estates Act, 1929*.

Rev. Stat.,  
c. 148, s. 29,  
amended. **2.**—(1) Section 29 of *The Devolution of Estates Act* is amended by adding thereto the following clause:

Distribu-  
tion of  
estate of  
person  
dying  
intestate. (a) Provided that if there is only one child or legal representatives of only one child the personal property of a person dying intestate shall be distributed as follows, that is to say: One half to the wife of the intestate and the other half to such child or the legal representatives of such child.

Effect  
of amend-  
ment. (2) The amendment made by subsection 1 shall have effect only as to the estates of persons dying after the coming into force of this Act.

Commence-  
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 43.

## An Act to amend The Registry Act.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registry Act, 1929.*

Short title.

2. Subsection 1 of section 17 of *The Registry Act* is amended by inserting after the words "by him" in the eleventh line the words "but unless otherwise instructed he shall omit from such abstract all instruments ruled off pursuant to section 68a", and in such case the form of the certificate in subsection 2 shall be varied accordingly.

Rev. Stat.,  
c. 155, s. 17,  
subs. 1,  
amended.Contents of  
abstract.

3. Subsection 8 of section 21 of *The Registry Act* is amended by inserting after the word "administration" in the second line the words "certificates of judgment or orders of any court removing or appointing executors, administrators, guardians or trustees."

Rev. Stat.,  
c. 155, s. 21,  
subs. 8,  
amended.General  
register.

4. Section 26 of *The Registry Act* is amended by adding thereto the following subsection:—

Rev. Stat.,  
c. 155, s. 26,  
amended.

(6) When an abstract index is to be recopied, it shall not be necessary to include in such recopying any of the instruments which have been ruled off as provided by section 68a or any portion of the abstract index containing a record of the instruments registered forty years or more before the date of the commencement of such recopying, but it shall be the duty of the registrar to carefully preserve such abstract index and it shall be available for inspection as in the case of current indexes.

Re-copying  
abstract  
index.

5. *The Registry Act* is amended by adding thereto the following section:—

Rev. Stat.,  
c. 155,  
amended.

50a.—(1) Where a conveyance or mortgage is made by a man and no one joins therein as his wife it shall

Affidavit or  
declaration  
as to con-  
dition of  
grantor.

not

not be registered unless there be made on or securely attached to it an affidavit or statutory declaration by such man that he is married, unmarried, a widower, or as the case may be, and of the full age of twenty-one years.

Dispensing with affidavit or declaration.

- (2) Where it is made to appear to the judge of a county or district court that the affidavit or statutory declaration required by subsection 1 cannot be obtained conveniently the judge may dispense with such affidavit or declaration, and thereupon shall endorse upon the instrument or firmly attach thereto his order directing the registrar to register the instrument notwithstanding the absence of such affidavit or declaration, and the registrar shall thereupon register such instrument.

(a) The judge may act upon such evidence by affidavit or otherwise as he may deem proper.

Entry in register.

- (3) In the case of a conveyance the registrar shall copy the affidavit, declaration or judge's order in the register with the copy of such conveyance and the additional copying shall be computed and charged for as part of the deed.

(a) This section shall not apply to a conveyance or mortgage made by the Public Trustee, Official Guardian, an executor, administrator, trustee or other person dealing with land in an official capacity.

Rev. Stat., c. 155, amended.

**6. The Registry Act** is amended by adding thereto the following section:—

*Probates and Letters of Administration to be Registered.*

Registration of wills or letters of administration when conveyance made by personal representative or devisee, etc.

- 56a. No instrument purporting to convey or otherwise deal with land in any manner shall be registered if executed by any person as devisee, legatee, executor or administrator of the estate of a deceased person who at the time of his death appears from the register to have been in any wise possessed of or interested in the land in question unless before the time of registration of such instrument the will or the letters probate of the will or the letters of administration under which the person executing such instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the date of registration and registered number thereof have been inserted in the body of the instrument or in its margin.

7. Section 61 of *The Registry Act* is amended by adding thereto the following subsections: Rev. Stat., c. 155, s. 61, amended.

- (2) When a discharge of mortgage is tendered for registration, there shall be produced to the registrar the duplicate mortgage and assignments thereof, if any, or a declaration by the person signing such discharge, stating that the original duplicate mortgage or duplicate of any assignment thereof cannot be produced and the reason therefor and in such case, the declaration shall be securely attached to and filed away with the discharge and the duplicate shall be returned to the party registering the discharge. Production and cancellation of duplicate mortgage on registering discharge.
- (3) The duplicate mortgage before being returned shall be stamped by the registrar with a perforating stamp bearing the words, "*Discharge Registered*" across the signatures of the parties executing the mortgage and on the registrar's certificate of registration. Stamping discharged mortgage.
- (4) No additional fee shall be charged for filing the declaration referred to in subsection 2 and it shall not be necessary to copy the declaration in the register Fee not to be charged.

8. *The Registry Act* is amended by adding thereto the following section: Rev. Stat., c. 155, amended.

- 68a.—(1) Where a mortgage registered since the 1st day of January, 1890, is purported to be discharged and the certificate purporting to be the discharge thereof has been registered for ten years or more, and wherever a certificate of *lis pendens* registered since the 1st day of January, 1890, has been vacated and the certificate of the judgment or order vacating the same has been registered for two years or more, the registrar shall wherever such mortgage or the said discharge thereof or any other instrument dealing exclusively with such mortgage and wherever such certificate of *lis pendens*, certificate of judgment or order vacating the same appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same, and the lands described in such mortgage or certificate of *lis pendens* shall be validly discharged therefrom. Marking off discharged mortgage, liens, etc., in abstract index.
- (2) Where a certificate purporting to be a partial discharge of mortgage registered since the 1st day of January, 1890, has been registered for ten years or

more

more and the mortgage does not affect any portion of the lot other than the portion described in the certificate of partial discharge, the provisions of subsection 1 of this section shall apply to such partial discharge of mortgage in like manner as they would to the mortgage if wholly discharged.

Extent of  
application  
of subss. 1, 2.

- (3) Subsections 1 and 2 of this section shall extend to and include also instruments described in and registered under sections 34, 67 and 68.

Mechanics'  
liens.

- (4) Where a mechanic's lien registered since the 1st day of January, 1890, is purported to be discharged and the document purporting to be the discharge thereof has been registered for two years or more and wherever a mechanic's lien registered since the 1st day of January, 1890, has been registered for two years and no certificate of action has been registered as required by *The Mechanic's Lien Act*, and wherever a mechanics lien has been so registered and a certificate of action has also been registered and such certificate of action has been vacated or discharged and the order, or certificate of order vacating or discharging same has been registered for two years or more, the registrar shall, wherever such mechanic's lien or any assignment or discharge thereof, certificate of action, or order, or certificate of order vacating the same, appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same and such mechanic's lien shall be validly discharged and such certificate of action shall be duly vacated.

Rev. Stat.,  
c. 173.

Bringing  
abstract  
index into  
conformity  
with Act.

- (5) The registrar shall within one year after the passing of this Act bring his abstract indexes into conformity with the requirements of subsections 1, 2, 3 and 4 and upon the completion of this work to the satisfaction of the inspector, a registrar who is not paid by salary shall be entitled to receive in payment for such services a sum to be determined by the inspector and paid by the treasurer of the county or city comprising such registry division, and a town separated from the county for municipal purposes, and a city for which there is not a separate registry office shall pay to the county such equitable proportion thereof as the inspector shall direct.

Employ-  
ment of  
additional  
assistance.

- (6) Where the inspector considers it advisable he may authorize a registrar to employ such additional assistance as may be necessary to do properly the work required to be done by this section and in

determining

determining the amount to be allowed for this work the cost of such assistance shall be taken into consideration by the inspector.

**9.** Section 80 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat., c. 155, s. 80, amended.

(14a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway. What to be deemed street or highway.

**10.**—(1) The clause lettered *b* in section 92 of *The Registry Act* is amended by striking out the figures "\$1.60" and inserting in lieu thereof the figures "\$2.10." Rev. Stat., c. 155, s. 92, cl. b, amended.

(2) The clause lettered *p* in the said section 92 is amended by inserting after the word and figures "section 68" in the second line thereof, the figures "\$1.50." Rev. Stat., c. 155, s. 92, cl. p, amended. Certificate of discharge of mortgage.

**11.** *The Registry Act* is amended by adding thereto the following section: Rev. Stat., c. 155, amended.

92a. The Lieutenant-Governor in Council may from time to time amend, repeal or add to any of the clauses or items in section 92, and all the items or clauses so amended, repealed or added to shall have the same force and effect as if enacted by the Legislature. Alterations in registrars' fees.

**12.** Section 101 of *The Registry Act* is repealed and the following substituted therefor: Rev. Stat., c. 155, s. 101, repealed.

101.—(1) Every registrar shall be entitled to retain to his own use in each year his net income up to \$3,000. Registrars' emoluments and percentages payable on net income.

(2) Subject to the provisions of section 104 of this Act and of section 150 of *The Land Titles Act*, every registrar shall, of the net income of each year over \$3,000, pay to the treasurer of the county, or city, for which or for part of which he is registrar, the following percentages:

(a) On the excess over \$3,000 up to \$6,000, 50 per centum;

(b) On the excess over \$6,000, 90 per centum.



Rev. Stat.,  
c. 155,  
amended.

**13.** *The Registry Act* is amended by adding thereto the following section:

Additional  
grant in  
certain  
cases.

121. Where it appears by return to the Lieutenant-Governor or to any department of the Government that in any year a registrar of deeds or an officer holding the office of registrar of deeds and local master of titles has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which is less than \$1,800, there may be paid on the report of the Inspector of Legal Offices, to such registrar or officer, out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Commence-  
ment of Act.

**14.** Sections 2 to 9 shall come into force on the 1st day of June, 1929, and the remaining sections of this Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 44.

## An Act to amend The Mortgage Tax Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mortgage Tax Act, 1929.* Short title.

2. Subsection 2 of section 2 of *The Mortgage Tax Act* is amended by striking out the words "to the said Inspector, who shall deposit the same in a special account in some incorporated bank in which public money of the Province is being deposited" and substituting therefor the words "to the treasurer of the municipality." Rev. Stat., c. 156, s. 2, subs. 2, amended.

3. Subsection 3 of section 2 of *The Mortgage Tax Act* is repealed. Rev. Stat., c. 156, s. 2, subs. 3, repealed.

4. Section 7 of *The Mortgage Tax Act* is amended by striking out the last four lines and substituting the following: "amount required to pay off the original mortgage or charge but the Registrar or Master shall not register or enter such renewal mortgage or charge until the full and true amount of the moneys required to pay off such original mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 7, amended.

5. Section 8 of *The Mortgage Tax Act* is amended by striking out the words "before registering or entering such new mortgage or charge may require such further proof of the facts as he may deem necessary" at the end of the said section and substituting therefor the following: "shall not register or enter such new mortgage or charge until the full and true amount of the moneys required to pay off such prior mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 8, amended.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 45.

## An Act to amend The Land Titles Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Land Titles Act, 1929*.

Rev. Stat.,  
c. 158, s. 151,  
subs. 3,  
amended.      **2.** Subsection 3 of section 151 of *The Land Titles Act* is amended by adding thereto the following words, "or a deputy local master of titles having five years' practice in a land titles office."

Commence-  
ment of Act      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 46.

## An Act to amend The Parents' Maintenance Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Parents' Maintenance Act*, Short title.  
1929.

**2.** Subsection 1 of section 2 of *The Parents' Maintenance Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 185, s. 2,  
subs. 1,  
amended.

(a) Proceedings may be taken under this Act,—

- (i) by the Public Trustee in the case of a parent Maintenance  
of parent  
in hospital  
or public  
institution.  
who is an inmate of an Ontario Hospital; or
- (ii) by the governing body of any hospital, home for the aged, house of refuge or other charitable institution in which such dependent parent is an inmate; or
- (iii) by any local authority or commission acting under any Act for the payment of pensions to aged persons under the *Old Age Pensions Act* R.S.C. 1927,  
c. 156.  
of Canada in the case of a person applying for or in receipt of such pension,

and the consent in writing of the Crown Attorney shall not be necessary before the laying of an information in any such case.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 47.

An Act to make Better Provision for Dependants  
of Deceased Persons.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Dependants' Relief Act, 1929.*

Inter-pretation.     **2.** In this Act,—

"Applicant."     (a) "Applicant" shall mean and include a dependant making application for an allowance under this Act, and in the case of a dependant who is an inmate of an Ontario Hospital, or who has been declared a lunatic, the Public Trustee or committee of such person as the case may be, and in the case of an infant, the Official Guardian, applying for an allowance under this Act on behalf of such inmate of an Ontario Hospital, lunatic or infant, as the case may be;

"Dependant."     (b) "Dependant" shall mean and include the wife or husband of a testator, the child of a testator under the age of sixteen years and the child of a testator over that age who through illness or infirmity is unable to earn a livelihood;

"Executor."     (c) "Executor" shall include administrator with the will annexed;

"Letters probate."     (d) "Letters probate" shall include letters of administration with the will annexed.

Order for allowance for maintenance.

**3.**—(1) Where it is made to appear to a judge of the surrogate court of the county or district in which a testator was domiciled at the time of death that such testator has by will so disposed of real or personal property that adequate provi-

sion has not been made for the future maintenance of his dependants or any of them, the judge may make an order charging the whole or any portion of the estate in such proportion and in such manner as to him may seem proper, with payment of an allowance sufficient to provide such maintenance.

(2) The allowance may be by way of an amount payable <sup>Form of allowance</sup> annually or otherwise, or of a lump sum to be paid, or of certain property to be conveyed or assigned either absolutely or for life or for a term of years to the dependant by whom or on whose behalf the application is made, or for his use and benefit as the judge may see fit, and in the event of a conveyance of property being ordered the judge may give all necessary and proper directions for the execution of the conveyance or conveyances, either by the executor or by such other person as the judge may direct, or may grant a vesting order.

4. The application for an allowance may be made by a <sup>Who may apply.</sup> dependant, or in the case of a dependant who is an inmate of an Ontario Hospital, or has been declared a lunatic, by the Public Trustee or committee as the case may be, or in the case of a dependant under the age of twenty-one years, by the Official Guardian, or by a guardian appointed by the court.

5.—(1) The application shall be made to the judge in <sup>Procedure.</sup> chambers upon originating notice according to the practice of the court.

(2) Where letters probate are applied for by the wife or husband of the testator or a guardian on behalf of minor <sup>When application to be made.</sup> dependants, an application under this section for an allowance for such wife or husband, or for such minor dependants shall be made at the time of applying for letters probate and in every other case the application shall be made within three months after the death of the testator.

(3) After service of notice of the application the executors <sup>Distribution of estate postponed.</sup> or trustees under the will shall not proceed with the distribution of the estate except so far as may be necessary for the payment of debts and funeral and testamentary expenses and succession duty until the application is disposed of.

(4) At any time before the hearing of the application a <sup>Removal into Supreme Court.</sup> judge of the Supreme Court upon motion on behalf of the trustees or executors, or the applicant, or any other person interested, and upon being satisfied that the total value of the estate of the testator exceeds \$10,000, may by order direct

that

that the application shall be heard by a judge of the Supreme Court and thereupon the matter shall be transferred into the Supreme Court and the application shall be heard by a judge of the Supreme Court and he shall have the like powers and shall proceed in the like manner as in the case of a hearing and determination by the judge of the surrogate court.

Proviso as  
to persons in  
Ontario  
Hospitals.

(5) Where any person by whom, or on whose behalf, an application for an allowance may be made under this Act is an inmate of an Ontario Hospital at the time of the death of the testator, or at any time before the application under this Act is heard and disposed of, notice of the application for letters probate shall be served upon the Public Trustee on behalf of such person, and the time within which the Public Trustee may make an application for an allowance under this Act shall run from the date of the service of such notice.

Notice to  
Public  
Trustee.

(6) Where any person interested in the estate in respect of which an application is made under this Act is an inmate of an Ontario Hospital, notice of the application for an allowance shall in every case be served upon the Public Trustee who shall have the right to appear and be heard upon the application.

Notice  
to parties  
before order.

**6.** The judge shall not make any order until he is satisfied upon oath that all persons who are or may be interested in or affected by the order have been served with notice of the application as provided by the Rules of Court and every such person shall be entitled to be present and to be heard in person or by counsel at the hearing.

Evidence  
to be given  
orally.

**7.** The evidence taken on any such application shall be given orally before the judge and shall be taken down in writing or in shorthand in the same manner as in the case of a trial of an action before a judge without a jury.

Matters  
to be con-  
sidered by  
judge.

**8.** The judge upon the hearing of the application shall enquire into and consider,—

- (a) the circumstances of the testator at the time of death;
- (b) the circumstances of the person on whose behalf the application is made;
- (c) the claims which any other person may have as a dependant of the testator;

(d)

- (d) any provision which the testator may have made *inter vivos* for dependants or any dependant;
- (e) any services rendered by dependants to the testator;
- (f) any sum of money or any property provided by a dependant for the testator for the purpose of providing a home or assisting in any business or occupation or for maintenance or medical or hospital expenses; and
- (g) generally any other matters which the judge deems should be fairly taken into account in deciding upon the application.

**9.** Where the dependant has given personal assistance or the gift or loan of money or real or personal property towards the advancement of the testator in any business or occupation, the judge may in and by his order fix a value in money upon such assistance, or may fix the amount or value in money of any gift or loan so made, and may direct that the applicant shall rank as a creditor upon the estate therefor, in the same manner and to the same extent as a judgment creditor upon a simple contract debt, but except as to the amount so fixed as the value of such assistance or as the amount or value in money of such gift or loan an allowance payable under this Act shall be postponed to the claims of creditors of the estate.

Payment for services rendered to testator.

**10.** No order shall be made under this Act in favour of a wife who was living apart from her husband at the time of his death under circumstances which would disentitle her to alimony.

When widow disqualified.

**11.** Subject to the provisions of section 9 the amount or value of any allowance ordered to be paid shall not exceed the amount to which the person in whose favour the order is made would have been entitled if the testator had died intestate, nor shall the total of all allowances ordered to be paid under this Act out of an estate exceed in value or amount one-half the residue of the estate after the payment of all just debts and funeral and testamentary expenses and succession duty or one-half of the income from such residue calculated at five per centum per annum.

Limit of amount or value of allowance.

**12.** The judge may direct that the costs of the application shall be payable out of the estate or otherwise as he may deem just and may fix the amount of the costs payable by any party, exclusive of necessary disbursements, at a lump sum having regard to the value of the estate and the amount of any allowance applied for or directed by his order.

Costs



Appeal.

**13.** Except as to costs, an appeal shall lie to the Appellate Division from any order made under this Act and a Divisional Court upon such appeal may annul the order or reduce or increase the amount or value of any allowance fixed by the order and the decision of the court upon the appeal shall be final.

Application  
of Rev. Stat.  
c. 111.

**14.** *The Judges Orders Enforcement Act* shall apply to any order made under this Act.

Commence-  
ment of  
Act.

**15.** This Act shall come into force on the 1st day of July, 1929, and shall have effect as to the estate of any person dying on or after the day upon which it receives the Royal Assent.

## CHAPTER 48.

## An Act to amend The Infants Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Infants Act, 1929.* Short title.

2. Section 1 of *The Infants Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 186, s. 1,  
amended.

(3) Where it is made to appear to the judge of the surrogate court of the county or district in which the infant resides in whose favour an order has been made under subsection 2, that default has been made in payment of any sum of money so ordered to be paid, the judge of the surrogate court,— Enforce-  
ment of  
order.

(a) may from time to time summon the person in default to explain the default, and

(b) may, where service of the summons has been proved, and the person in default does not appear or sufficient reason for his absence is not given, or where it appears that the summons cannot be served, issue an order for the arrest of such person, and

(c) may, when an order has been issued, or where the person in default fails to satisfy the judge that such default is due to inability to pay, order and adjudge such person to be imprisoned for a term not exceeding three months unless the sums of money payable under the order are sooner paid.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 49.

## An Act to amend The Companies Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Companies Act, 1929*.

Rev. Stat.,  
c. 218, s. 16,  
subs. 3,  
repealed.      **2.** Subsection 3 of section 16 of *The Companies Act* is repealed.

Rev. Stat.,  
c. 218, s. 34,  
subs. 1,  
amended.  
Liability of  
shareholders.      **3.**—(1) Subsection 1 of section 34 of *The Companies Act* is amended by inserting after the word "section" in the first line the figures and word "32 or."

Retroactive.      (2) The amendment made by subsection 1 shall have effect as from the 10th day of May, 1928.

Rev. Stat.,  
c. 218, s. 55,  
repealed.      **4.** Section 55 of *The Companies Act* is repealed.

Rev. Stat.,  
c. 218, s. 63a,  
subs. 1 (1928,  
c. 32, s. 7)  
amended.  
Foreign  
letters  
probate, etc.      **5.**—(1) Subsection 1 of section 63a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by inserting before the commencement thereof the words "Subject to the provisions of *The Succession Duty Act*"; by inserting after the words "administration or" in the fifth line the words "document testamentary or other judicial or official" and by inserting after the word "official" in the fourteenth line the words "instrument or an authenticated copy thereof or official."

Rev. Stat.,  
c. 218, s. 63a,  
subs. 2 (1928,  
c. 32, s. 7)  
amended.      (2) Subsection 2 of the said section 63a is amended by adding the following: "But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with," so that the subsection will now reads as follows:

Transmission  
of interest  
on death.  
Securing  
payment of  
succession  
duty.

(2) Such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond,

debenture

debenture or obligation or share, or transferring, or consenting to the transfer of any bond, debenture or obligation or share, in pursuance of, and in conformity to such probate, letters of administration or other such document aforesaid. But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with.

Rev. Stat.  
c. 26.

6. Subsection 2 of section 137 of *The Companies Act* is amended by inserting after the word "affairs" in the last line the word "and."

Rev. Stat.,  
c. 218, s. 137,  
subs. 2,  
amended.  
Auditors'  
report.

7. *The Companies Act* is further amended by adding thereto the following section:

Rev. Stat.,  
c. 218,  
amended.

152a. Where a company has commenced business without having complied with the requirements of subsection 1 of section 108 of *The Ontario Companies Act*, 1907, chapter 34, or of subsection 1 of section 112 of *The Ontario Companies Act*, 1912, chapter 31, or of subsection 1 of section 114 of *The Ontario Companies Act*, R.S.O. 1914, chapter 178, and the Lieutenant-Governor in Council is satisfied that the noncompliance was due to inadvertence, error or mistake and that before commencing business the conditions mentioned in clauses *a* and *b* of the said sections had been complied with, he may authorize the company to file the statutory declaration *nunc pro tunc*, and if it is filed within one month after the date of the Order-in-Council it shall have the same effect as if it had been filed before the company commenced business.

Neglect to  
file declara-  
tion of  
commence-  
ment of  
business.

## INSURANCE COMPANIES

8. Section 240 of *The Companies Act* is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 218, s. 240,  
amended.

(3) No letters patent granting a charter under the provisions of this Part shall be issued without the written approval of the Superintendent.

Approval of  
Superin-  
tendent of  
Insurance.

9.—(1) Subsection 3 of section 243 of *The Companies Act* is amended by adding at the end thereof the words "provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10," so that the subsection will now read as follows:

Rev. Stat.,  
c. 218, s. 243  
subs. 3,  
amended.

Par value  
of shares in  
insurance  
companies.

- (3) The capital stock shall be divided into shares of \$100 each; provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10.

Rev. Stat.,  
c. 218, s. 243,  
amended.

- (2) The said section 243 is further amended by adding thereto the following subsections:

Return of  
subscriptions  
on failure to  
secure  
license.

Rev. Stat.  
c. 222.

- (6) Every subscription to the capital stock made prior to the granting of a license pursuant to *The Insurance Act* shall contain the stipulation that all moneys received on account of shares shall be returned to the subscribers without any deduction for promotion, organization or other expenses, in case the insurer fails to procure such a license.

Limit of  
percentage  
of subscrip-  
tions for  
charges.

- (7) Every subscription to the capital stock shall contain the stipulation that no sum shall be used or paid before or after incorporation, for commission, promotion or organization expenses in excess of a percentage, not exceeding fifteen, of the amount of money received on account of shares.

Money re-  
ceived on  
account of  
shares.

- (8) In this section the expression "money received on account of shares" shall include money received as premium on shares.

Rev. Stat.,  
c. 218, s. 283,  
amended.

- 10.** Section 283 of *The Companies Act* is amended by striking out the words "Provincial Secretary" in the seventh line and inserting in lieu thereof the word "Superintendent," so that the section will now read as follows:

Filing  
by-laws for  
remunera-  
tion of  
director.

283. At any annual general meeting of the shareholders or members of a corporation, or at any special general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws for the remuneration of the directors, and a certified copy of every such by-law shall, within seven days after its passing, be filed with the Superintendent.

Rev. Stat.,  
c. 218,  
amended.

- 11.** *The Companies Act* is amended by adding thereto the following section:

Security of  
accountants.

- 290a.—(1) Every officer or person appointed or elected to any office concerning the receipt or proper application of money shall furnish security for the just and faithful execution of the duties of his office

according

according to the by-laws or rules of the corporation, and any person entrusted with the performance of any other service may be required to furnish similar security, and security so furnished and then subsisting shall be produced to the auditors at the annual audit.

- (2) The security given by the treasurer or other officer <sup>Minimum.</sup> having charge of the money of the corporation shall not be less than \$3,000.

**12.** Section 303 of *The Companies Act* is amended by <sup>Rev. Stat., c. 218, s. 303, amended.</sup> adding thereto the following clause:

- (c) "Subsidiary corporation" means any corporation <sup>"Subsidiary corporation," meaning of.</sup> wheresoever incorporated at least seventy-five per centum of whose issued common shares are owned by a parent corporation as herein defined.

**13.** Section 304 of *The Companies Act* is amended by <sup>Rev. Stat., c. 218, s. 304, amended.</sup> inserting after the word "corporation" in the seventh and eight lines the words "and of its subsidiary corporations," so that the section will now read as follows:

304. The Lieutenant-Governor may, by letters patent, <sup>Subsidiary corporation.</sup> grant a charter to the president, vice-president, general manager, assistant general manager, cashier, assistant cashier and inspector of any corporation legally transacting business in Ontario under any Act of the Province of Ontario, or to any two of the said officials, with any other of the superior officers constituting such persons, and the employees of such corporation and of its subsidiary corporations who join the said society and those who replace them from time to time, a pension fund and employees mutual benefit society, and such society shall be a body corporate and politic.

**14.—**(1) The clauses lettered *a* and *b* in section 309 of *The Companies Act* are repealed and the following substituted <sup>Rev. Stat., c. 218, s. 309, ols. a, b, repealed.</sup> therefor:

- (a) Provide for the support and payment of pensions to <sup>Pensions for employees.</sup> officers and employees of the parent corporation and its subsidiary corporations incapacitated by age or infirmity or who cease to be employed by the parent or a subsidiary corporation;
- (b) Upon the death of such officers or employees, pay pensions, annuities or gratuities to their widows and children or other surviving relatives or personal representatives in such manner as by the by-laws may be specified.

Rev. Stat.,  
c. 218, s. 309,  
cl. c,  
amended.

(2) The clause lettered *c* in the said section 309 is amended by inserting after the word "parent" in the second line the words "or a subsidiary," so that the clause will now read as follows:

Providing  
for pension  
funds, etc.

(c) Provide for the payment of benefits to officers and employees of the parent or a subsidiary corporation incapacitated by illness, accident or disability;

Rev. Stat.,  
c. 218, s. 310,  
subs. 1, cl. c,  
amended.

**15.**—(1) The clause lettered *c* in subsection 1 of section 310 of *The Companies Act* is amended by adding at the end thereof the words "and its subsidiary corporations," so that the clause will now read as follows:

(c) The officers and employees of the parent corporation and its subsidiary corporations.

Rev. Stat.,  
c. 218, s. 310,  
subs. 1, cl. d,  
repealed.

(2) The clause lettered *d* in subsection 1 of the said section 310 is repealed and the following substituted therefor:

Benefits to  
widows and  
dependents.

(d) The widows and children or other surviving relatives, or the personal representatives of such officers and employees.

Rev. Stat.,  
c. 218, s. 311,  
amended.

**16.** Section 311 of *The Companies Act* is amended by striking out the words "and orphans and relatives" in the fourth and fifth lines and inserting in lieu thereof the words "and children or other surviving relatives or personal representatives," so that the section will now read as follows:

By-laws  
defining  
rights and  
remedies of  
beneficiaries  
etc.

311. All the powers, authority, rights, penalties and forfeitures whatsoever in the premises, whether of the society or of the individual members thereof, or of the officers and employees thereof, or of such widows and children or other surviving relatives or personal representatives, or of the parent corporation shall be such and such only and may be enforced in such mode and in such mode only, as by such by-laws shall be defined and limited.

Commence-  
ment of Act.

**17.**—(1) This Act, except as provided in subsection 2, shall come into force on the day upon which it receives the Royal Assent.

Retroactive  
sections.

(2) Subsection 1 of section 9, and sections 12 to 16 inclusive, shall be read and construed as though they had come into force on the 1st day of January, 1928.

## CHAPTER 50.

An Act to amend The Companies Information Act,  
1928.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Companies Information Amendment Act, 1929.* Short title.

**2.** Subsection 1 of section 3 of *The Companies Information Act, 1928*, is amended by striking out all the words therein down to the end of the clause lettered *a* and substituting therefor the following:

“3.—(1) A prospectus containing such information as may from time to time be required by the Lieutenant-Governor in Council, verified as the Provincial Secretary may direct, together with the fee prescribed in the Order-in-Council, shall be filed with the Provincial Secretary by every syndicate and by every company other than a private company <sup>Filing prospectus</sup>

(a) upon the establishment in Ontario of a head or other office, and”.

**3.** Subsection 3 of section 4 of *The Companies Information Act, 1928*, is repealed and the following substituted therefor: 1928, c. 33, s. 4, subs. 3, repealed.

(3) (a) The return of every corporation shall be verified by the affidavit of the president and secretary of the corporation. <sup>Verification of returns.</sup>

(b) When the president or secretary is absent the affidavit required of him may be made by a director.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.



## CHAPTER 51.

## An Act to amend The Security Frauds Prevention Act, 1928.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Security Frauds Prevention Act, 1929.*

1928,  
c. 34, s. 6,  
subs. 2,  
amended.

**2.** Subsection 2 of section 6 of *The Security Frauds Prevention Act, 1928*, is amended by inserting after the word "Attorney-General" in the fourth line the words "or any other bond."

1928,  
c. 34, s. 7,  
amended.

**3.**—(1) Section 7 of the said Act is amended by adding thereto the following subsection:

Forfeiture  
upon bank-  
ruptcy or  
winding up  
proceedings.

(1a) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar a certificate signed by the Attorney-General that proceedings by or in respect of the person or company in respect of whose conduct the bond is conditioned have been taken,—

(a) under the *Bankruptcy Act*, or

(b) in the case of a company, by way of winding up.

1928, c. 34,  
s. 7, subs. 2,  
amended.

(2) Subsection 2 of the said section is amended by deleting the words "subsection 1" in the second line and substituting therefor the words "subsections 1 and 1a."

1928, c. 34,  
s. 8, subs. 1,  
amended.

**4.** Subsection 1 of section 8 of the said Act is amended by adding thereto the following clause:

Permanent  
entries.

(bb) any permanent entry in the register shall be cancelled upon,—

(i)

- (i) any proceedings being taken by or in respect of the registered person or company under the *Bankruptcy Act* or in the case of a registered company, by way of winding up, or
- (ii) suspension from any stock exchange of any registered person or the representative upon any stock exchange of any registered company.

**5.** Section 12 of the said Act is amended by adding thereto the following subsection: 1928,  
c. 34, s. 12,  
amended.

- (2a) In any of the circumstances mentioned in clauses (a), (b) or (c) of subsection 1, the Attorney-General may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles or any Mining Recorder that proceedings are being or are about to be taken which may affect land or mining claims belonging to the person or company referred to in the said notice which notice shall be registered against the lands or claims mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Attorney-General may in writing revoke or modify such notice. Notice to  
Registrars  
of Deeds or  
Masters of  
Titles.

**6.** Section 16 of the said Act is amended by adding thereto the following subsection: 1928,  
c. 34, s. 16,  
amended.

- (2a) Where any company is convicted under this Act the magistrate may direct that, in default of payment of the penalty imposed, proportionate parts thereof shall be paid by such officers, directors, officials or employees of the company, and in such amounts as he shall designate, and in default of payment by any person so designated the magistrate may impose a penalty of imprisonment for a term not exceeding six months. Apportion-  
ment of  
penalty on  
company  
among  
officers, etc.

**7.** The said Act is further amended by adding thereto the following section: 1928, c. 34,  
amended.

- 16a. Where in consequence of an investigation under Part II of this Act, any person or company has been,— Collection of  
costs of in-  
vestigation.

(a) convicted of a criminal offence; or

(b) convicted of an offence against any provision of this Act or the Regulations; or

(c)

- (c) enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction,

the Attorney-General may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario.

1928, c. 34,  
amended.

8. The said Act is further amended by adding thereto the following sections which shall constitute Part IV of the said Act.

#### PART IV.

##### AUDIT, ACCOUNTS, INFORMATION.

Inter-  
pretation

19.—(1) In this Part:

"Brokers'  
Auditor."

- (a) "Brokers' Auditor" shall mean an accountant whose name is on the panel of accountants approved by an executive committee.

"Exchange  
Auditor."

- (b) "Exchange Auditor" shall mean an accountant other than a brokers' auditor and not in any way connected with a brokers' auditor and who is employed upon full time by an executive committee.

"Executive  
Committee."

- (c) "Executive Committee" shall include the board of directors, managing committee or other governing committee of a stock exchange in Ontario.

Panel  
of brokers'  
auditors.

- (2) Any executive committee may from time to time select a panel of accountants each of whom shall have practised as such in Ontario for not less than five years and shall be known as a brokers' auditor, and may also employ an exchange auditor.

Exchange  
auditor.

Allotment  
of audits.

- (3) The executive committee shall allot to each brokers' auditor the persons or companies, whether members of or represented upon the exchange, which are to be audited by him, and all of the expenses of every audit are to be paid to the brokers' auditor by the executive committee, subject to full repayment forthwith by the person or company audited, and until such repayment is made the executive committee

shall

shall have a lien upon the seat belonging to or controlled by the person or company so indebted to the executive committee.

- (4) Every brokers' auditor shall at least twice in each year make a complete audit of the business and affairs of each person or company allotted to him, such audit to be made at irregular intervals, supplemented by such partial audits as the auditor may deem advisable or the executive committee may direct, but no warning or notice shall in any way be given of any such whole or partial audit. <sup>Duties of auditor.</sup>
- (5) The executive committee of a stock exchange may at any time require any brokers' auditor upon the panel of accountants of the exchange to make any general or special audit or report upon the whole or any aspect of the business or affairs of any person or company who is or has been a member of or in any way represented upon the exchange. <sup>Special audit.</sup>
- (6) Every brokers' auditor, for the purpose of any audit under the provisions of this section shall be entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company being audited, and any person or company withholding, destroying, concealing or refusing to give any information or thing reasonably required by the auditor for the purpose of his audit, shall be guilty of an offence. <sup>Powers of auditors.</sup>
- (7) Every brokers' auditor during or upon the completion of every audit under the provisions of this section shall send a copy of every report whether interim or final to the exchange auditor and shall in addition specially report to such auditor any particular information which may be required under the by-laws, rules or regulations of the exchange and any further information which the brokers' auditor deems it to be in the public interest so to report, and the exchange auditor shall summarize all information so received, and report thereon to the executive committee for scrutiny, identifying the person or company affected thereby by number only until the executive committee decides to take action in respect of any such person or company. <sup>Auditors' reports.</sup>
- (8) Any person designated in writing by an executive committee may examine under oath any member of <sup>Power to examine.</sup>

the exchange or any officer of any company represented thereon, or any associate or employee of any such person or company upon any matter arising out of any report of a brokers' auditor and for the purposes of such inquiry the person so designated shall have all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*.

Change of  
accounting  
system.

- (9) Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping in any manner.

Failure  
to comply.

- (10) Failure by any person or company, a member of or represented upon any stock exchange, to comply with any requirement of the executive committee of the exchange, or any person designated by it under subsection 8 hereof, shall constitute an offence and shall entitle the executive committee to suspend such person or member representing such company for such period as the said committee shall determine.

No action  
against  
auditors, etc.

- (11) No action shall lie against any executive committee or any member thereof, or any person designated by it under subsection 8 hereof, or against any brokers' or exchange auditor in respect of any act or proceeding, under the provisions of this section.

Commence-  
ment of  
Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent except clause *b* of subsection 1 of section 19 as enacted by section 8 hereof, which clause shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

## CHAPTER 52.

## An Act to amend The Extra Provincial Corporations Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Extra Provincial Corporations Act, 1929.* Short title.

**2.** Section 3 of *The Extra Provincial Corporations Act* is amended by adding thereto the following subsection: Rev. Stat., c. 219, s. 3, amended.

- (2) Where it appears that legislation is in force in any other province of Canada exempting corporations incorporated in Ontario from the provisions of any Act corresponding with the provisions of this Act, the Lieutenant-Governor in Council may exempt any corporation incorporated under the law of such other province from the provisions of this Act or any of them. Reciprocal legislation as to exemption from licensing.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 53.

## An Act to amend The Insurance Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Insurance Act, 1929*.

Rev. Stat.  
c. 222,  
s. 1, par. 5,  
amended.      **2.**—(1) Paragraph 5 of section 1 of *The Insurance Act* is amended by inserting after the word “not” in the second line, the words “aircraft or” so that the paragraph will now read as follows:

“Auto-  
mobile,”  
meaning of.      **5.** “Automobile” includes all self-propelled vehicles, their trailers, accessories and equipment but not aircraft or the rolling stock of a railway corporation, as defined by *The Railway Act*.

Rev. Stat.  
c. 224.

Rev. Stat.,  
c. 222, s. 1,  
amended.      (2) The said section 1 is further amended by adding thereto the following paragraph:

“Aviation  
Insurance,”  
meaning of.      **6a.** “Aviation Insurance” means insurance against liability for loss or damage to persons or property caused by an aircraft; and insurance against loss of or damage to an aircraft.

Rev. Stat.  
c. 222,  
s. 7, subs. 3,  
repealed.      **3.** Subsection 3 of section 7 of *The Insurance Act* is repealed and the following substituted therefor:

Leave.      (3) No action or proceeding for the recovery of fees and penalties payable hereunder shall be commenced without the leave of the Superintendent.

Rev. Stat.  
c. 222, s. 14,  
amended.      **4.** Section 14 of *The Insurance Act* is amended by inserting after the word “insurer” in the third line, the words “agent or broker” so that the section will now read as follows:

Access to  
books.      **14.** The Superintendent, or any person authorized under his hand or seal of office, shall, at all reasonable times, have access to all the books, securities

and

and documents of an insurer, agent or broker, which relate to contracts of insurance, and any officer or person in charge, possession, custody or control of such books, securities or documents who refuses or neglects to afford such access shall be guilty of an offence.

5. Subsection 1 of section 16 of *The Insurance Act* is amended by inserting after the word "than" in the fourth line, the words "a mutual benefit society having less than three hundred members and" so that the subsection will now read as follows:

Rev. Stat.,  
c. 222, s. 16,  
subs. 1,  
amended.

- (1) The Superintendent shall visit personally, or cause a duly qualified member of his staff to visit at least annually the head office or chief office in Ontario of every licensed insurer other than a mutual benefit society having less than three hundred members and an insurer incorporated and licensed by the Dominion of Canada and he shall verify the statements of the condition and affairs of each such insurer filed under this Act, and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its contracts as they mature and whether or not it has complied with all the provisions of this Act applicable to its transactions and the Superintendent shall report thereon to the Minister as to all matters requiring his attention and decision.

Annual  
inspection  
of insurers.

6. Subsection 3 of section 20 of *The Insurance Act* is amended by inserting after the word "insurer" in the third line the words "or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario" so that the subsection will now read as follows:

Rev. Stat.,  
c. 222, s. 20,  
subs. 3,  
amended

- (3) Any insurer undertaking insurance in Ontario or which within Ontario sets up or causes to be set up any sign containing the name of an insurer, or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario, or which, within Ontario distributes or publishes or causes to be distributed or published any proposal, circular, card, advertisement, printed form or like document, or which within Ontario makes or causes to be made any written or oral

Carrying on  
business.



solicitation for insurance, or which within Ontario issues or delivers any policy of insurance or interim receipt or collects or receives or negotiates for or causes to be collected or received or negotiated for any premium for a contract of insurance or inspects any risk or adjusts any loss under a contract of insurance, or which prosecutes or maintains in Ontario any action or proceeding in respect of a contract of insurance or any club, society or association incorporated or unincorporated which receives either as trustees or otherwise, any contributions or moneys from its members out of which gratuities or benefits are paid directly or indirectly upon the death of its members or any of them, shall be deemed to be an insurer carrying on business in Ontario within the meaning of this Act.

Rev. Stat.,  
c. 222, s. 21,  
amended.

7. Section 21 of *The Insurance Act* is amended by adding thereto the following subsection:

Unauthor-  
ized  
insurance.

- (5) Any insurer incorporated and licensed by Ontario which carries on or solicits business in any foreign jurisdiction without being first authorized so to do under the laws of such foreign jurisdiction, shall be guilty of an offence.

Rev. Stat.,  
c. 222, s. 24,  
subs. 1,  
amended.

8. Subsection 1 of section 24 of *The Insurance Act* is amended by inserting before the word "and" in the last line the words "aviation insurance" so that the subsection will now read as follows:

Classes of  
insurance.

- (1) Subject to provisions of Parts of this Act particularly relating to classes of insurers mentioned in the preceding section, a license may be granted to an insurer to carry on any one or more of the following classes of insurance: Life insurance, accident insurance, sickness insurance, sick and funeral benefits, fire insurance, inland marine insurance, ocean marine insurance, inland transportation insurance, automobile insurance, guarantee insurance, liability insurance, hail insurance, weather insurance, live stock insurance, steam boiler insurance, plate glass insurance, explosion insurance, burglary insurance, bond insurance, property insurance, credit insurance, aviation insurance and forgery insurance.

Rev. Stat.,  
c. 222, s. 74,  
subs. 1,  
amended.

9.—(1) Subsection 1 of section 74 of *The Insurance Act* is amended by adding at the end thereof the words "provided however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate

Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929" so that the subsection will now read as follows:

- (1) The valuation of contracts of life insurance issued by insurers incorporated and licensed under the law of Ontario except contracts of fraternal societies licensed under this Act, shall be based on the British Offices' Life Tables, 1893, O<sup>M</sup>(5), and on a rate of interest of three and one-half per centum per annum; provided, however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929.

Standard of valuation.

- (2) Subsection 5 of the said section 74 is repealed and the following substituted therefor:

Rev. Stat., c. 222, s. 74, subs. 5, repealed.

- (5) No insurer shall issue any contract of life insurance that shall not appear to be self-supporting upon reasonable assumption as to interest, mortality and expenses.

Contract must be self-supporting.

**10.** Section 84 of *The Insurance Act* is amended by striking out the word "insurer" in the fourth line and inserting in lieu thereof the word "insured" so that the section will now read as follows:

Rev. Stat., c. 222, s. 84, amended.

84. It shall be lawful for an insurer to contract to indemnify an insured against financial loss occasioned by reason of liability to a third person whether or not the loss has been caused by the insured through negligence or while violating the provisions of any municipal by-law or any Act of this Legislature.

Insurance where loss caused by insured through negligence.

**11.** Subsection 1 of section 92 of *The Insurance Act* is amended by striking out the words "the risk has been approved and" in the fourth line, and by inserting the words "has been" before the word "signed" in the fifth line, so that the subsection will now read as follows:

Rev. Stat., c. 222, s. 92, subs. 1, amended.

- (1) No licensed insurer shall undertake any contract of fire insurance upon property real or personal situate in Ontario or described in any contract as situate in Ontario, except after the contract, completed in accordance with section 97, has been signed or countersigned by a licensed agent who is a

Signature of contract by licensed agent.

resident of Ontario and who is to receive the commission or some part thereof when the premium stipulated in the contract is paid.

Rev. Stat.,  
c. 222, s. 98,  
subs. 1,  
amended.

**12.**—(1) Subsection 1 of section 98 of *The Insurance Act* is amended by adding at the end thereof the words “nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition” so that the subsection will now read as follows:

Statutory  
conditions.

- (1) The conditions set forth in this section shall be deemed to be part of every contract in force in Ontario, except contracts where the subject matter of the insurance is exclusively rents, charges or loss of profits, and shall be printed on every policy with the heading “Statutory Conditions” and, subject to the provisions of section 102, no variation, omission or addition thereto shall be binding on the insured, nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition.

Rev. Stat.,  
c. 222, s. 98,  
subs. 2,  
repealed.

(2) Subsection 2 of the said section 98 is repealed and the following substituted therefor:

Loss of  
profits  
insurance.

- (2) Where the subject matter of the insurance is exclusively rents, charges or loss of profits, the conditions set forth in this section shall not be required to be part of any such contract or to be printed therein.

Rev. Stat.,  
c. 222, s. 99,  
subs. 2,  
repealed.

**13.** Subsection 2 of section 99 of *The Insurance Act* is repealed and the following substituted therefor:

Limitation  
of liability  
clause.

- (2) A policy may contain a limitation of liability clause (or clauses) to the effect that the insurer shall only be liable for a specified proportion of any loss which may be sustained to any of the property covered by the policy, or to the effect that the insurer shall not be liable for more than a specified percentage of the value of any of the said property at the time of such loss, or, in the event of there being any other insurance covering any of the said property, to the effect that the insurer shall only be liable for a rateable proportion of a specified percentage or proportion of any loss to any of said property or to the effect that the insurer shall not be liable for more than a rateable proportion of a specified

percentage

percentage of the value of any of the property at the time of such loss, in which case there shall be printed or stamped on the face of the policy, in conspicuous type, and in red ink, the words "This policy contains a limitation of liability clause." Such clause (or clauses) shall not be deemed to be a variation of any statutory condition.

**14.** Subsection 5 of section 171 of *The Insurance Act* is amended by inserting after the word "application" in the first line, the words "and policy" so that the subsection will now read as follows: Rev. Stat., c. 222, s. 171, subs. 5, amended.

- (5) Upon every written application and policy there shall be printed or stamped in conspicuous type, not less in size than ten point, and in red ink, the following words: Red ink endorsement.

"If the applicant falsely describes the property to the prejudice of the insurer or knowingly misrepresents or conceals or omits to communicate any circumstances required by this application to be made known to the insurer, the contract shall be void as to the property insured or risk undertaken in respect of which the misrepresentation or omission is made."

**15.** *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

**172a.** Subject to any statutory condition, if any loss occurs under a policy issued to the purchaser of an automobile sold under the deferred payment plan, the insurer shall adjust the amount of the loss with the insured and not solely with the finance corporation concerned. Adjustment of loss where automobile sold on deferred payment plan.

**16.** Section 173 of *The Insurance Act* is repealed and the following substituted therefor: Rev. Stat., c. 222, s. 173, repealed.

**173.** Every policy shall contain the name and address of the insurer, the name, address, occupation or business of the insured, the name of the person to whom the insurance money is payable, the premium for the insurance, the subject matter of the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance. Contents of policy.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 54.

## An Act to amend The Loan and Trust Corporations Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Loan and Trust Corporations Act, 1929*.

Rev. Stat.  
c. 223, s. 13,  
subs. 2,  
cl. i,  
amended. **2.** The clause lettered *i* in subsection 2 of section 3 of *The Loan and Trust Corporations Act* is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days."

Rev. Stat.  
c. 223, s. 17,  
subs. 1,  
amended. **3.**—(1) Subsection 1 of section 17 of *The Loan and Trust Corporations Act* is repealed, and the following substituted therefor:

(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1 of section 16, and as deposits as set out in subsection 2 of section 16 and subsection 3 of section 18, shall be invested in or loaned upon such securities only as are authorized by section 28*a* of this Act; provided, however, that at all times at least fifty per centum of such moneys shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act*.

Rev. Stat.  
c. 150.

Rev. Stat.  
c. 223, s. 17,  
subs. 2,  
amended. (2) Subsection 2 of the said section 17 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line.

Rev. Stat.  
c. 223, s. 18,  
subs. 2,  
amended. **4.**—(1) Subsection 2 of section 18 of *The Loan and Trust Corporations Act* as amended by section 1 of *The Loan and Trust Corporations Act, 1928*, is amended by striking out the figures "28" in the third line and inserting in lieu thereof the figures and letter "28*a*."

Rev. Stat.  
c. 223, s. 18,  
subs. 4,  
amended. (2) Subsection 4 of the said section 18 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line.

(3) Subsection 5 of the said section 18 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line, and by adding the words "or of any city in Canada" after the word "Ontario" in the fifteenth line.

Rev. Stat.,  
c. 223, s. 18,  
subt. 5,  
amended.

5. *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:

Rev. Stat.,  
c. 223,  
amended.

28a.—(1) Subject to the provisions of subsection 1 of section 17 a registered trust company may purchase or invest in the following,—

Invest-  
ments by  
trust  
companies.

(a) Mortgages, charges, or hypothecs upon real estate in Ontario or elsewhere where the company is authorized to extend its business under the provisions of section 23.

Real  
estate.

(b) The debentures, bonds, stock or other securities of or guaranteed by the government of the Dominion of Canada or of or guaranteed by the government of any province of Canada, or of or guaranteed by the government of Great Britain, or of any dominion, colony or dependency thereof, or of any state forming part of such colony or dependency; or of or guaranteed by any foreign country or state forming part of such foreign country where the interest on the securities of such foreign country or state has been paid regularly for the previous ten years; or of any municipality or school corporation in Canada, or elsewhere where the company is carrying on business, or guaranteed by any municipal corporation in Canada, or secured by rates or taxes levied under the authority of the government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated.

Govern-  
ment  
bonds.

(c) The bonds, debentures, debenture stock, or other securities of any company or bank incorporated by Canada, or by any province of Canada, or by any former province now forming part of Canada, which are secured by a mortgage or hypothec to a trust company either singly or jointly with another trustee upon improved real estate of such company or other assets of such company

Bonds  
secured by  
trust deed.

of the classes mentioned in paragraphs (a) and (b) hereof.

Debentures.

- (d) The debentures or other evidences of indebtedness of any company or bank which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness.

Preferred stock.

- (e) The preferred stocks of any company or bank which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks; provided that the amount of stocks so guaranteed is not in excess of fifty per centum of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or,

Common stock.

- (f) The common stocks of any company, corporation or bank upon which regular dividends of at least four per centum per annum, or, in the case of stocks of no par value, of at least four dollars per share per annum, have been paid for the seven years next preceding the purchase of such stocks; provided further that if any such company or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities, including the capital stock, substituted common shares of no par value for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per centum of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; and in such circumstances dividends of at least four per centum per annum on the common stock



of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; and if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per centum for the said year.

- (2) Subject to the provisions of subsection 1 of section 17 a registered corporation may lend its funds on the security of,— Loans on securities.

- (a) Any of the securities mentioned in paragraphs (a), (b) and (c) of subsection 1 hereof, or on improved real estate or leaseholds, or, Real estate.

- (b) The bonds, debentures, notes, stocks, or other securities of any company or bank, other than those mentioned in paragraph (c) of subsection 1 hereof, provided that the market value of the securities on which the loan is made shall at all times exceed the amount of the loan by at least twenty per centum of such market value; and provided further that the amount loaned on the security of the stocks of any such company or bank shall not at any time exceed ten per centum of the market value of the total outstanding stocks of such company or bank. Bonds, debentures, etc. See R.S.C., c. 23, s. 61, 2, cl. b.

6. The clause lettered *c* in subsection 1 of section 29 of *The Loan and Trust Corporations Act* is amended by adding at the end thereof the words "Provided, however, that this clause shall not apply to investments made by a trust company in the securities prescribed in section 28*a* of this Act." Rev. Stat., c. 223, s. 29, subs. 1, amended.

7. *The Loan and Trust Corporations Act* is further amended by adding thereto the following section: Rev. Stat., c. 223, amended.

29*a*.—(1) The Lieutenant-Governor in Council may authorize the acceptance by a corporation of bonds, notes, stocks, debentures, or other assets not fulfilling the requirements of this Act,— Other investments authorized by Lieutenant-Governor in Council.

- (a) in payment or part payment for securities sold by such corporation; or

(b)



- (b) obtained under a *bona fide* arrangement for the reorganization of a company whose securities were previously owned by such corporation; or
- (c) for the amalgamation with another company or the company whose securities were so owned; or
- (d) obtained for the *bona fide* purpose of protecting investments previously made by the corporation; or,
- (e) obtained by virtue of the purchase by the corporation of the assets of another corporation;

but the bonds, notes, stocks or debentures or other assets whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Lieutenant-Governor in Council shall, on report of the Minister fix and determine unless it can be shown to the satisfaction of the Minister that the bonds, notes, stocks, debentures or other assets whose acceptance is so authorized are not inferior in status or value to the securities for which they have been substituted.

Stocks of  
reorganized  
companies.

- (2) For the purpose of determining the eligibility as investments under this Act of the preferred or common stocks of any company, which has been voluntarily reorganized without the impairment of the status or value of its securities, dividends paid on the preferred and common stocks of the company before such reorganization may be counted as dividends paid on such stocks respectively of the reorganized company.

Rev. Stat.,  
c. 223,  
s. 45,  
amended.

8. Section 45 of *The Loan and Trust Corporations Act* is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line, and by inserting the words "or of any city in Canada" after the word "Ontario" in the twelfth line.

Rev. Stat.,  
c. 223, s. 67,  
amended.

9. Section 67 of *The Loan and Trust Corporations Act* is amended by striking out the words "but of the age of fifteen years and upwards" after the word "years" in the first line, and by striking out the word "loan" in the third line.

**10.** Subsection 1 of section 73 and section 74 of *The Loan and Trust Corporations Act* are amended by striking out the word "loan" in the first line, and are further amended by striking out the figures "\$300" in the second line and inserting in lieu thereof the figures "\$600."

Rev. Stat.  
c. 223, s. 73,  
subs. 1; s. 74  
amended.

**11.** Subsection 2 of section 77 of *The Loan and Trust Corporations Act* is amended by striking out the word "fifteen" in the seventh line and inserting in lieu thereof the word "ten."

Rev. Stat.  
c. 223, s. 77,  
subs. 2,  
amended.

**12.** Subsection 4 of section 110 of *The Loan and Trust Corporations Act* is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days."

Rev. Stat.  
c. 223, s. 110,  
subs. 4,  
amended.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 55.

## The Hydro-Electric Railway Act, 1929.

*Assented to 28th March, 1929.*

Short title.

**1.** This Act may be cited as *The Hydro-Electric Railway Act, 1929*.

Powers of  
Commission  
in operating  
Sandwich,  
Windsor and  
Amherstburg  
Railway.

**2.** The Hydro-Electric Power Commission of Ontario may, as part of the Sandwich, Windsor and Amherstburg Railway acquired and operated by the Hydro-Electric Power Commission of Ontario for certain municipal corporations under the agreement confirmed by section 8 of *The Hydro-Electric Railway Act, 1920*, and by way of extensions, improvements, additional works or equipment therefor, and either as principal trustee, agent or otherwise, lease, obtain running rights over, purchase or otherwise acquire, equip, maintain and operate motor busses, motor coaches and bus lines and any property, rights, franchises or privileges in connection therewith wherever it may appear to the Commission advantageous and profitable from time to time and whether or not within the districts in which said municipal corporations are situate, and may from time to time, lease, sell, mortgage, pledge or otherwise dispose of the same or any part thereof upon such terms as to it may appear desirable, and may enter into any joint ownership, joint operating or joint traffic arrangement with, or any arrangement for sharing of profits, co-operation, joint adventure, reciprocal concession or otherwise with, and take part in the management, supervision or control of the business or operations of any other person, firm, company, corporation, board, commission or undertaking in respect to the ownership, operation, equipment and maintenance of a motor coach transportation service upon such terms and conditions as to the Commission may seem desirable; and the Commission may procure itself to be licensed, registered and recognized in any foreign country or jurisdiction and may designate parties therein according to the laws thereof to represent the Commission and may apply for, promote and obtain from the Dominion of Canada or any other authority, whether dominion, provincial or foreign, and including subordinate and municipal authorities, any statute, ordinance, order, license, franchise, regulation or other authorization or enactment which may seem desirable to the Commission or calculated directly or

indirectly

indirectly to benefit the Commission and may accept, acquire and exercise powers and rights conferred upon it by any such authority to do any of the things or carry on any of the operations herein mentioned outside of the Province of Ontario and may enter into any arrangement or agreement with any such authority; and the Commission may purchase or otherwise acquire on such terms as it may deem desirable shares in any company or corporation carrying on any business or operations similar to those hereinbefore in this section set forth, and hold, sell, mortgage, pledge or otherwise deal with the same.

**3.** Wherever in *The Hydro-Electric Railway Act, 1914* or, in the agreement confirmed by section 8 of *The Hydro-Electric Act, 1920*, referred to in section 2 hereof, or in *The Hydro-Electric Railway Act, 1925*, or in any amendment or amendments thereof reference is made to expenditure by the Commission to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for said railway such reference shall be deemed to include and to have always included expenditure by the Commission for any of the purposes mentioned in said section 2.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Expendi-  
tures  
legalized.  
  
Commence-  
ment of  
Act.

## CHAPTER 56.

## An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1929*.

Interpre-      **2.** In this Act,—  
tation.

"Associa-      (a) The words "Association" and "Railway" shall have  
tion."  
"Railway."  
1928,  
c. 99.      the same meaning as in *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*;

"Commis-      (b) "Commission" shall mean The Hydro-Electric Power  
sion."  
Commission of Ontario;

"Corpora-      (c) "Corporations" shall mean and include the corpora-  
tions."  
tions named in clause *a* of section 2 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and such municipal corporations as may from time to time be added and become parties to the Agreement set out in Schedule "A" to that Act;

"Working      (d) "Working Expenditure" shall have the same meaning  
expenditure"  
Rev. Stat.  
c. 224.      as in *The Railway Act*.

Agreements      **3.** Subject to the provisions hereinafter contained, the  
confirmed.      agreements entered into between the Windsor, Essex and Lake Shore Electric Railway Association and the Corporations in the form set out in Schedule "A" to *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the agreement entered into between the said Association and The Hydro-Electric Power Commission of Ontario, dated the 3rd day of January, 1929, and set out in Schedule "B" hereto, are confirmed and declared to be legal, valid and binding upon the said Association and the said Corporations and each of them respectively and the Commission, and the Association and the said Corporations and each of them respectively and the Commission are declared to have and may exercise all the

rights,

rights, powers and privileges and may issue all securities, execute all instruments and do all other things necessary to carry out the terms of the said agreements.

4.—(1) For the purpose of providing capital for working expenditure of the Railway or any extension thereof or work connected therewith and of providing for any deficit caused by the revenues of the said Railway being insufficient to meet the working expenditure in any year and of providing for any other charges or liabilities for which the Association may be responsible or for any of the said purposes, the Association is hereby authorized to issue and shall issue debentures of the Association to the principal amount of Two Hundred Thousand Dollars (\$200,000). Bonds for working expenditure

(2) The debentures to be issued under this section shall bear such date, carry such rate of interest, be payable at such place or places and in such moneys and be upon such terms and conditions and mature within such period from the date thereof as the Commission may require. Terms of debentures.

(3) Subject as hereinafter in this subsection provided, the Commission on behalf of and in the name of the Association may declare that the debentures issued under this section are charged upon and secured by such assets of the Railway in such manner and upon such terms and provisions and subject to such conditions as the Commission may deem advisable, but in relation to the said assets all debentures issued under this section shall be junior and subordinate to and rank after all bonds heretofore or hereafter issued by the Association to cover capital expenditure as provided in the said agreement between the Association and the Corporations. Debentures may be a charge.

(4) Debentures and debts which are by this Act made obligations of the Corporation shall not be included in ascertaining the limits of the borrowing powers of the Corporations as prescribed by *The Municipal Act*, and the said debentures and debts shall be obligations of the Corporations notwithstanding the limitations prescribed by *The Municipal Act*. Debentures not to be counted in ascertaining limit of borrowing powers. Rev. Stat., c. 233.

5.—(1) The Association is hereby authorized to and shall deliver to the Commission debentures of the Association issued under section 4 of this Act to the principal amount of \$100,000. Association shall deposit \$100,000

(2) For any of the purposes set forth in section 4 of this Act the Commission from time to time on behalf of and in the name of the Association may borrow such amounts as the Commission may deem advisable, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the debentures delivered to it by the Association under this section. Commission may borrow.

Commission  
not bound  
to operate.

(3) The Commission shall not be bound to undertake the operation of the Railway or any work or obligation under the Agreement set out in Schedule "B" to this Act until the Association shall have issued and delivered to the Commission the said debentures of the principal amount of \$100,000.

Additional  
borrowing  
powers.

(4) For any of the purposes set out in section 4 or for the purpose of paying interest and sinking fund or any part thereof in respect of the bonds of the Association, or for paying to the Commission the amount as required by the Commission of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Association from time to time may borrow such amounts as the Association may deem advisable upon the security of the debentures issued under the authority of section 4 and not delivered to the Commission, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the said debentures.

Liability on  
debentures  
and  
borrowing.

6.—(1) Notwithstanding that the said debentures may purport to be obligations of the Association only and that any borrowing purported to be done under the authority of this Act may purport to be done on behalf of the Association only, the said debentures of the Association and the amounts so borrowed shall be direct obligations of the Corporations and each of the Corporations shall be jointly and severally liable therefor and for every indebtedness created by or in connection with the said debentures or for which any of them shall be security; and the amount for which any Corporation is liable under this section shall be a debt due from the Corporations and each of them to the holder of any of the said debentures or the person lending the money so borrowed and upon default in payment thereof or of the interest thereon the same may be recovered by action at the suit of such holder in any court of competent jurisdiction.

Borrower  
need not  
look into  
purposes.

(2) No person, bank, firm or corporation lending money upon the security of the said debentures or any of them shall be bound to look into the purposes for which the money so lent is borrowed and the provisions of subsection 1 of this section shall apply notwithstanding that the moneys borrowed may be borrowed or used for purposes other than those authorized by this Act.

Further  
debentures  
for rehabili-  
tation.

7. The Association from time to time shall issue debentures of the Association to such amount as may be determined by the Commission as necessary to provide further capital for the completion of the rehabilitation of the Railway and shall sell, pledge or hypothecate the same and pay the proceeds to the Commission and debentures issued under this section shall be a liability of the Association and the Cor-

porations in the same manner and to the same extent as debentures issued by the Association under section 4.

8.—(1) The expenses incurred in and incidental to the creation and organization of the Association to such amount as shall be approved by the Commission may be paid by the Commission as part of the capital expenditure for the acquisition and rehabilitation of the Railway. Association's expenses of organization.

(2) All other expenses of administration of the Association and all gratuities, salaries and other remuneration of the members and officers of the Association shall subject to the approval of the Commission be payable as part of the working expenditure of the Railway. Association's administration expenses.

(3) If, for any reason, the railway is not rehabilitated and operated as contemplated, then the Corporations shall severally be liable for the amount of the purchase price of the railway agreed to be paid by the Association, and also for the expenses referred to in section 8 hereof, in the same proportions as those in which the Corporations have undertaken to issue debentures under the provisions of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the agreement, Schedule "A," thereto. Liability of corporations if enterprise not proceeded with.

9. The Association shall appoint an executive committee to consist of the chairman and vice-chairman and three other members of the Association, and it shall be the duty of the executive committee,— Association shall appoint executive committee.

- (a) To supervise and direct the business of the Association;
- (b) To appoint such officers and employees as it may deem necessary for the conduct of the business of the Association and prescribe their duties and fix their remuneration;
- (c) To supply to the members of the Association on or before the twenty-fifth day of each month a statement of income and expenditure of the Association for the calendar month last preceding.
- (d) To adjust and apportion all amounts to be paid to the Association by the Corporations;
- (e) To take all steps necessary for the collection by legal process or otherwise of any amounts payable to the Association by the Corporations which shall remain in default for a period of one month;

(f)



- (f) To adjust and apportion between the corporations any annual surplus arising from operation of the railway.

Payment of  
deficit by  
Association.

**10.**—(1) Whenever the Association shall be under obligation to pay to the Commission the amount of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Commission shall require the amount thereof to be paid by the Association, and for such purpose the Commission shall mail to the Chairman of the Association by registered post a requisition specifying the amount to be paid by the Association and such requisition shall be final and conclusive as to the amount due and payable by the Association and shall not be open to question in any action or proceeding; the Association within four months from the mailing of the said requisition shall pay to the Commission the amount specified therein.

Executive  
Committee  
shall ap-  
portion.

(2) So soon as the requisition shall have been mailed to the Chairman of the Association, the Executive Committee of the Association herein provided for shall forthwith apportion the amount shown due by the said requisition among the Corporations in the proportions in which the Corporations have contributed debentures for capital expenditure of the Railway, and shall serve a requisition on each of the said Corporations specifying the amount to be paid by such Corporation, and such apportionment and such requisition shall be final and conclusive as to the amount due and payable by each said Corporation and shall be binding upon the Corporation and shall not be open to question in any action or proceeding; each of the Corporations shall pay to the Association the amount specified in the requisition served on the Corporation within one month from the date on which such requisition shall have been served on the Corporation as aforesaid.

Association  
shall collect  
from Cor-  
porations.

(3) In any financial year whenever the Association shall have borrowed any money under the authority of subsection 4 of section 5 of this Act or shall have incurred any other expense or liability in respect of the Railway other than that mentioned in subsection 1 of this section, the Association immediately after the end of the said financial year shall proceed to collect the amount thereof from the Corporations in the proportions and in the manner set out in subsection 2 of this section.

Corporations  
shall raise  
amount due.

(4) Each of the Corporations shall assess, levy and collect the moneys to be paid by it under this section by special rate on all the rateable property within the municipality or within the area in such municipality described in Schedule "C" to the agreement set out as Schedule "A" to *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and such additional area as may be added by by-law passed under the

authority of section 14 of this Act and pending the collection thereof may temporarily borrow the amount thereof on the credit of the Corporation from any bank or person.

(5) If any of the Corporations fail to pay the amount specified in the said requisition within one month after the same shall have been served the said amount shall be recoverable by action at the suit of the Association in any court of competent jurisdiction.

On default  
Association  
shall  
recover.

(6) Nothing contained in this section shall lessen or in any way impair the joint and several liability of each of the Corporations to pay the principal and interest of any debt contracted under the provisions of this Act by the Association or by the Commission on its behalf.

Liability of  
corporations  
for working  
capital not  
impaired.

**11.**—(1) The Commission in its discretion at any time by notice in writing mailed to the Chairman of the Association by registered mail may terminate the agreement set forth in Schedule "B" to this Act, and the Association at any time may terminate the said agreement with the approval of the Commission and with the approval of the majority of the Corporations signified in each case by resolution of the council of the Corporation under its corporate seal.

Commission  
may  
terminate.

(2) The agreement shall be terminated and shall cease to be operative if,—

Agreement  
shall be  
terminated  
on default.

- (a) The Association shall make default in payment of any amount demanded by the Commission and such default shall continue for a period of four months;
- (b) The Association shall make default in the payment of any amount required to meet interest or on sinking fund account on its bonds and such default shall continue for a period of six months, or
- (c) The trustee mortgagee, acting for or on behalf of the bondholders shall take possession of the undertakings of the Association under the terms of the mortgage given to secure payment of said bonds by reason of any default in complying with the provisions thereof;

And forthwith the Commission shall cease to operate the Railway and the executive committee of the Association shall take over the management and operation thereof.

(3) Upon the termination of the Agreement under either of the two next preceding subsections the Commission shall be

Adjustment  
on termina-  
tion.

entitled to retain any moneys in its hands as security for any amount which may be owing to it or for which it may be liable on account of the operation of the Railway or for any obligation assumed by it and, subject to the charge in favour of the bondholders, the Commission shall have a lien upon the assets of the Railway for every such amount, and, in addition, the Commission shall be entitled to sell and dispose of any debentures of the Association in its hands in such manner as it sees fit.

Revival of agreement.

(4) In case the agreement is terminated for any of the reasons mentioned in subsection 2 the agreement shall be revived and shall forthwith become operative in full force and effect as if no termination had taken place, if,—

- (a) the default which occasioned the termination be made good to the satisfaction of the Commission as certified under its corporate seal and the signatures of its chairman and secretary;
- (b) the trustee mortgagee, having received satisfaction, shall have given up possession of the undertakings of the Association;

and forthwith the executive committee of the Association shall cease to operate the railway and the operation, management and control of the railway shall vest in and be assumed by the Commission as if no such termination had taken place.

Saving as to 1928, c. 89, s. 9.

**12.** Nothing in this Act contained shall be taken to affect the operation of the provisions of section 9 of the said *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and if any Corporation shall hereafter become a party to the agreement set out in Schedule "A" of the said Act and execute the same as provided in the said section, the provisions of the last-mentioned Act, this Act and the said agreements shall extend to and be binding upon the Corporation.

Application of sinking fund to redeem bonds.

**13.** Any moneys at the credit of the sinking fund mentioned in subclause *d* of clause 3 of the said agreement between the Association and the Corporations or any other moneys in the hands of the Association may be applied from time to time in the purchase or redemption of bonds, debentures or other securities issued by the Association under the said clause at such time or times and in such manner and for such price or prices as the Association may deem desirable.

Amendment of Agreement as to Sandwich South and Gosfield North.

**14.—**(1) Schedule "C" to the said agreement between the Association and the Corporations is amended by striking out the clauses numbers 3 and 6 and substituting therefor the following:

(3) *Township of Sandwich South.*

All of the township of Sandwich South.

(6) *Township of Gosfield North.*

All of the township of Gosfield North.

(2) Wherever only a district in a municipality is described in the said Schedule "C" the council of any such municipal corporation may by by-law passed by the affirmative vote of all those members of the council who are present at a meeting called to consider the by-law, require all sums to be raised, levied and collected for the payment of debentures or for any other purposes under the terms of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, or of this Act or any amendment or of the said agreements or either of them, to be raised, levied and collected upon all the rateable property in the municipality instead of in the district set out in said Schedule "C" and the said Schedule shall thereupon be amended accordingly.

Raising contribution by general rate.

**15.** For the purpose of operating and carrying on the Railway the Commission shall have and may exercise all the rights, powers and privileges of the Association in the same manner and to the same extent as a company owning and operating a railway under *The Railway Act* of Ontario, except that the Commission shall have no power to issue bonds, debentures or other securities or undertake any financial obligation whereby the Commission becomes in any way liable, except as the agent of and in the name of the Association, and all bonds, debentures and other securities required to be issued for the purpose of the said Railway and all such financial obligations shall be issued, undertaken and performed by and in the name of the Association.

Duties and powers as to operation of Railway.

**16.** It is the true intent and meaning of this Act, *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the said agreements that the Commission shall be deemed in all matters arising out of this Act, the said Act of 1928, and agreements or any of them, to act solely as the agent of the Association and the Corporations, and neither the Commission nor the Province of Ontario shall be liable in any manner for any debt, liability or obligation in respect of the railway or anything done or undertaken by the Commission in relation thereto except to the extent of moneys received by the Commission as revenue from operation of the railway or other assets of the Association or the Corporations from time to time in its possession or control and available for such liabilities, nor shall the Commission be liable in any manner for any debt, liability or obligation of the Association, and the Association and the Corporations jointly and severally shall be responsible for every such debt, liability or obligation and shall indemnify

Responsibility of Association and Corporations.

and

and save harmless the Commission therefrom, and no action or other proceeding shall lie or be taken against the Commission in respect of any such debt, liability or obligation but every such action may be taken against the Association and the Corporations or one or more of them.

Sections of  
*Railway Act*  
not to apply.

**17.** Sections 177 to 185 inclusive and sections 187 to 201 inclusive of *The Railway Act* shall not apply to the Commission or the Association or the railway mentioned in the agreement set out as Schedule "B" to this Act.

Assent of  
electors not  
required.

**18.** It shall not be necessary to submit for the assent of the electors any by-law passed by the municipal council of any of the Corporations to incur any debt or to authorize the issue of any debentures or for any purpose whatsoever under or pursuant to this Act or either of the said agreements, Schedules "A" and "B".

1928, c. 99,  
s. 3,  
amended.

**19.** Section 3 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, is amended by adding thereto the following clause:—

Representa-  
tives of  
municipali-  
ties to be  
residents.

(a) Every member of the Association shall be a resident of the municipality represented by him and in case any member heretofore or hereafter appointed shall cease to be a resident of the municipality represented by him his seat shall *ipso facto* become vacant and the council of the municipality represented by him shall thereupon appoint another member in his place.

Commence-  
ment of Act.

**20.** This Act shall come into force on the day upon which it receives the Royal Assent and shall be retroactive and have effect as from the 20th day of June, 1928.

## SCHEDULE "B."

THIS INDENTURE made the 3rd day of January A.D. 1929.

BETWEEN:—

WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION, hereinafter called the "ASSOCIATION"

*of the First part,*

—and

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, hereinafter called the "COMMISSION"

*of the Second part*

WHEREAS the Association has been duly created and constituted under and in accordance with The Windsor, Essex and Lake Shore Rapid Railway Act, 1928, 18 Geo. V, Chapter 99;

AND WHEREAS the Association has entered into agreement in the form set out in the Schedule to the said Act with certain of the Municipal Corporations mentioned in the said Act for the acquisition and operation by the Association on behalf of the Corporations from time to time parties to the said Agreement (hereinafter called the "Corporations") of the electric railway now known as the Windsor, Essex and Lake Shore Rapid Railway, (hereinafter called the "Railway");

AND WHEREAS the Association has acquired the said Railway;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that in consideration of the premises and for the considerations herein contained the Parties hereto mutually covenant, promise and agree as follows:—

1. The Association hereby authorizes and appoints the Commission as the agent of and on behalf of the said Association and said Corporations to manage, construct, rehabilitate, extend, complete, equip, maintain and operate the said Railway, and the Commission, as such agent and subject to all the terms, conditions, provisoes and stipulations herein contained, accepts the said appointment and agrees to efficiently perform its duties in connection therewith; and to exercise all due skill and diligence so as to secure the most effective operation and service of the Railway; and the Commission as agent of the Association may have, enjoy, exercise and perform all the rights, powers, authorities, privileges, immunities, duties and obligations of the Association with respect to the Railway and the management, construction, rehabilitation, extension, completion, equipment, maintenance, operation, improvement, betterment, renewal and insurance thereof except always with respect to the issue of bonds.

2. The Commission shall be under no obligation whatever to commence or having commenced to proceed with the rehabilitation, construction and equipment of the Railway, or to proceed with any extensions, improvements or additional works or equipment of any kind in connection with the Railway except according to plans and specifications furnished by the Commission and authorized and approved by resolution of the Association, and any amendments or additions thereto or modifications thereof which shall be made by the Commission, nor unless the Association shall have furnished the Commission with the moneys, or given the Commission security satisfactory to the Commission for payment to the Commission of the moneys estimated by the Commission from time to time to be necessary to complete the said rehabilitation, construction, equipment, extensions, improvements, additional works and equipment, nor unless the Association shall have carried out and complied with all statutory requirements to be observed and performed by the Association, but the Commission shall be fully protected in acting according to such authorization and approval and shall be under no obligation to see to the observance or performance by the Association of said statutory requirements, and the Commission in carrying out any such work may make such amendments or additions to or modifications of such plans and specifications which in its sole discretion the Commission may deem to be necessary or desirable and the authorization and approval of the work by the Association according to the original

plans



plans and specifications shall be effective as an authorization and approval of the work according to said original plans and specifications as so amended added to, or modified;

3. As part of the operation of the Railway, the Association authorizes the Commission:—

3. (a) to regulate and fix the fares and rates of toll to be collected by the Railway for all classes of service;

3. (b) to utilize the right-of-way and property of the Railway for all purposes from which it is possible to obtain a profit;

3. (c) Subject to the provisions of any Trust Indenture securing any bonds issued by the Association, to combine the equipment works and other property of the Railway with that used for power purposes by the Commission and for other railways operated by the Commission where such combination is in the opinion of the Commission feasible and may prove economical; and to apportion annually all charges respecting such equipment, works and other property in a fair manner having regard to the service furnished; provided that such apportionment may be by way of rental charges or otherwise; the apportionment of the Commission shall be final and binding;

3. (d) to permit and obtain interchange of traffic with other railways wherever possible and profitable.

4. THE ASSOCIATION SHALL:—

(a) furnish a free right-of-way for the Railway over any property of the Association and use its best endeavours to secure a free right-of-way for the Railway over the property of any of the Corporations upon request of the Commission and secure to the Commission free use of all land, property and other facilities available to the Association;

4. (b) make no agreement or arrangement with and grant no franchise, license or inducement to any other railway or transportation company, body corporate or commission without the written consent of the Commission; and take all means within the power of the Association to ensure to the Commission the exclusive right of furnishing in any manner whatsoever local transportation within the boundaries of any of the Corporations:

4. (c) keep, observe and perform the covenants, provisoes and conditions set forth in this contract intended to be kept, observed and performed by the Association, and execute such further and other documents and pass such By-laws and Resolutions as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract, and use its best endeavour to secure from the said Corporations such further and other documents and By-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract;

4. (d) issue all bonds, debentures and other securities, collect and pay over all moneys and generally do all acts and carry out all obligations required or imposed in addition to or substitution for any of the provisions of this agreement by any Statute of Ontario relating to the said Railway.

5. The Commission to the extent that the same may be available shall apply the revenue derived from operation of the Railway and all other revenue derived from the undertaking to the payment of working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement; the Commission may in its discretion set aside from any revenue thereafter remaining such sum each year as the Commission may determine to be desirable for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, for obsolescence, depreciation, and contingencies; and provided the Association be not in default under this agreement, the Commission shall pay over annually to the Association all surplus that remains after providing for the

foregoing items in this clause; the decision of the Commission as to what is included under this clause and what is capital expenditure shall be final and binding.

6. The Association shall be responsible for and bear all costs in relation to the Railway, its property and works, including without limiting the generality of the foregoing all cost of acquiring, rehabilitating, constructing, equipping, operating, maintaining, repairing, renewing and insuring the Railway and the Commission shall be under no obligation whatever to provide any moneys therefor.

7. In case the Commission shall at any time or times be prevented from operating the Railway or any part thereof by strike, lock-out, riot, fire, invasion, explosion, hurricane, flood, act of God or the King's enemies, or any other cause which may reasonably be deemed to be beyond its control, then the Commission shall not be bound to operate the Railway or such part thereof during such time, but the Association shall not be relieved from any liability or payment under this contract and as soon as the cause of such interruption is removed the Commission shall without any delay continue operation of the Railway, and the Association shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

8. Subject to the provisions of any Trust Indenture securing any bonds issued by the Association the Commission may, and the Association hereby authorizes the Commission, to unite the business of the Railway with that of any other railway system operated in whole or in part by the Commission and to acquire, equip and operate busses and bus lines instead of any line or lines of the Railway or by way of extension thereof wherever it may appear to the Commission advantageous and profitable from time to time, and to exchange equipment and operators from one system to another, provision being made so that each system shall pay its proportionate share as adjusted by the Commission of the cost of any operators and of any equipment and other property used in common including the cost of operation thereof; provided that the acquisition or lease of, or obtaining of running rights over, any steam railway, electric or street railway or bus line or any part thereof may be deemed a uniting of business as aforesaid or may be included as part of the Railway maintained or operated by the Commission under this contract.

9. Without the approval of the Commission, the Association shall not make any extension to the Railway or construct any other railway or acquire, undertake, lease or obtain running rights over any steam railway, or other electric railway or any street railway or any buses or bus line or any part thereof; but when so approved the same shall in every case become part of the Railway.

10. The Association covenants and agrees with the Commission to co-operate by all means in its power at all times with the Commission in creating the most favourable conditions for the carrying out of the objects of this contract and for increasing the revenue of the Railway and for insuring its success.

11. In any financial year if for any reason there be a deficit because the revenue derived from the operation of the Railway and all other revenue derived from the undertaking be insufficient to meet the working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement and such sum as the Commission may determine as desirable to set aside for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, obsolescence, depreciation and contingencies, or if there be a deficit because the moneys furnished by the Association to the Commission shall be insufficient to meet the cost, either estimated or actual, of the rehabilitation, construction, equipment, management or operation of, or of extensions, improvements, additional works and equipment for, the Railway which may be undertaken by the Commission pursuant to this agreement as the agent of the Association and on behalf of the Association and the Corporations, or if the Commission shall have made any expenditure or incurred any liability or obligation whatever in connection with the rehabilitation, construction, equip-



ment, management, or operation of, or with extensions, improvements or other work and equipment for or in connection with the Railway to meet which sufficient moneys have not been furnished by the Association to the Commission, the amount of such deficit or deficits, and the amount of such expenditures, liabilities and obligations, shall be forthwith upon demand paid to the Commission by the Association; and the Commission, so long as such expenditures, obligations and liabilities are not paid or satisfied shall have a lien therefor upon the Railway and all land, equipment, works and other property held or used in connection therewith, which lien shall, however, be subject and subordinate to the lien or charge created by statutory authority or by any trust indenture in favour of the holders of any of the Bonds of the Association or in favour of any Trustee for the holders of such Bonds.

12. If the Association should fail to perform any obligation under this agreement or if any Corporation should fail to perform any obligation under the said Act or any other Act now or hereafter passed or any amendment thereto, or under the said agreement or in connection with the Railway, the Commission in addition to all other remedies and without liability to the Commission may with or without notice and in its absolute discretion discontinue the service of the Railway in whole or in part and also terminate this agreement, and upon such termination the Commission shall have no further obligation under this agreement; no such discontinuance of service shall relieve the Association or any Corporation from the performance of any obligation contained in this agreement or to be performed under the said Acts or any amendments thereto or the said agreement between the Association and the Corporations.

13. Whenever any Municipal or other work is carried out which in any way affects the Railway but is not a portion of the Railway, no part of the cost of the same shall be charged against the revenue of the Railway but the said cost shall be paid by the Corporation or Corporations within the boundaries of which the work is done, and the said Corporation or Corporations shall indemnify and save harmless the Association and the Commission therefrom; EXCEPTING always in special cases of small matters where the Commission may be willing that such cost be treated and paid as working expenditure.

14. If at any time the Commission deem it necessary for proper and efficient operation of the Railway to construct a connection or connections between the Railway and any other railway operated by the Commission, the Commission may construct such connection and the cost thereof shall be apportioned by the Commission between the Railway and such other railway operated by the Commission, and such apportionment may be by way of rental charges or otherwise; provided that the part of the cost apportioned to the Railway under this agreement shall be met as the Commission may determine.

15. (1) The Commission shall not be liable to the Association or the Corporations or otherwise in any way by reason of any error or omission in any reports, estimates, plans or specifications made for the Association prior to the entering upon this contract, or made thereafter in pursuance thereof or for any act or omission of the Commission in exercising or purporting to exercise the powers and authorities conferred upon it by this agreement, or otherwise.

15. (2) The Commission as regards all powers and authorities conferred upon it by this agreement shall have absolute and uncontrolled discretion as to the exercise thereof whether in relation to the manner or to the mode or to the time of such exercise and the Commission shall not be liable to the Association or to the Corporations in any way for its exercise of such discretion.

16. The Commission shall have the conduct and control of all claims and actions brought in respect of the Railway whether for alleged negligence arising out of the operation of the Railway or for any other matter or thing in connection with the Railway and may defend or compromise, settle or dispose of the same as it deems expedient, and such defence, compromise, settlement or disposal shall be binding upon the Association and the

Corporations; if the Association is liable thereon for any amount beyond the insurance, if any, carried by the Commission, the Solicitor of the Association shall be notified by the Commission.

17. The Commission shall not be obliged to undertake or continue any work or responsibility under this agreement until the moneys necessary therefor shall have been furnished by the Association and arrangements satisfactory to the Commission have been made by the Association for the payment of the same to the Commission as and when required by the Commission.

18. The Association as principal hereby agrees to indemnify and save harmless its agent the Commission from and against all liability, loss, damage, claims, demands, costs, charges and expenses in connection with the Railway.

19. The Association may with the approval of the Commission assign the benefit and advantage of this agreement to the Trustee under the Trust Indenture securing the bonds issued by the Association for capital expenditure for the Railway.

20. By way of compensation to the Commission for the performance of its obligations hereunder the Association agrees to pay to the Commission the cost to the Commission as determined by the Commission of all work done and services performed by it pursuant to this agreement, and the cost to the Commission as determined by the Commission in accordance with The Power Commission Act of supplying electrical power or energy for the purposes of the Railway, which power or energy the Commission is hereby exclusively authorized to supply and the Commission may deduct such costs payable to it so far as the same may be available from the revenue derived from the operation of the Railway.

IN WITNESS WHEREOF the Commission and the Association have caused this contract to be executed under their corporate seals and the hands of their proper officers duly authorized thereto.

WITNESS: WINDSOR, ESSEX AND LAKE SHORE ELECTRIC  
RAILWAY ASSOCIATION.

(signed) E. B. WINTER,  
*Chairman.*

(signed) M. E. BRIAN,  
*Secretary.*

THE HYDRO-ELECTRIC POWER COMMISSION OF  
ONTARIO.

.....  
*Chairman.*

.....  
*Secretary.*

## CHAPTER 57.

## An Act to amend The Municipal Act.

*Assented to 8th February, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 233, s. 109,  
amended.

**1.** Section 109 of *The Municipal Act* is amended by adding thereto the following subsection:

Case of  
by-election.

(2a) In the case of a by-election to fill a vacancy in the office of a member of the council a by-law for the purposes set out in subsection 2 may be passed at least six days before the day of nomination at such by-election.

Commence-  
ment of  
Act.

**2.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 58.

## The Municipal Amendment Act, 1929.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 70 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 70, amended.

(4a) Before making the declaration the candidate shall submit to the treasurer or the collector of taxes of the municipality a list of all lands in the municipality of which the candidate is the owner or tenant, but not including land of which he is a tenant as set out in clause *r* of subsection 1 of section 53, and shall procure from such official and file with his declaration a certificate that there are no municipal taxes or rates due on any of such lands, and the clerk shall not place on the ballot paper the name of any candidate who fails to file such certificate with his declaration. Candidates to file certificate as to payment of taxes with declaration of qualification.

2. Subsection 2 of section 109 of *The Municipal Act* is amended by adding thereto the following words "and any such by-law shall remain in force from year to year until repealed." Rev. Stat., c. 233, s. 109 subs. 2, amended.

3. Section 299 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 299 amended.

(1a) A county council may also borrow without the assent of the electors a sum not exceeding \$50,000 by the issue of debentures payable within thirty years for the purpose of making a grant for the erection, establishment, maintenance or equipment of a public hospital in any municipality, including a city or separated town, in the county. Special power of county to borrow for hospital purposes.

4. Section 358 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 358, amended.

(3a)

Designating  
police  
magistrate  
where more  
than one.

- (3a) If there are two or more police magistrates the Lieutenant-Governor in Council shall designate the police magistrate who is to be a member of the board.

Rev. Stat.,  
c. 233, s. 396,  
par. 11.

- 5.—(1) Paragraph 11 of section 396 of *The Municipal Act* is amended by adding at the end thereof the following clause:

- (a) A question as to securing a supply of electrical power or energy from The Hydro-Electric Power Commission of Ontario shall be submitted to the electors qualified to vote on money by-laws.

Rev. Stat.,  
c. 233, s. 396,  
par. 31.

- (2) Paragraph 31 of section 396 of *The Municipal Act* is amended by adding thereto the following clause:

- (a) For the purposes of this paragraph the council or a local municipality may acquire land in the municipality or in an adjacent or an adjoining municipality.

Rev. Stat.,  
c. 233, s. 396,  
amended.

6. Section 396 of *The Municipal Act* is amended by adding thereto the following paragraph:

Officers  
becoming  
members of  
association  
for improv-  
ing technical  
knowledge.

- 42a. For any corporation officers becoming members of any municipal union or association for extending and improving the technical skill of such municipal officers in the discharge of their municipal duties, and for paying the fees for such membership, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

Rev. Stat.,  
c. 233,  
s. 406,  
amended.

7. Section 406 of *The Municipal Act* is amended by adding thereto the following paragraph:

#### *Police Signal System.*

Police signal  
system.

- 7a. For purchasing and installing apparatus, appliances and equipment for a police signal system at a cost not exceeding \$20,000 in the case of a city and \$10,000 in the case of a town, and for the issue of debentures therefor, payable in equal annual instalments of principal and interest during a period not exceeding ten years.

- (a) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

8.—(1) Paragraph 1 of section 408 of *The Municipal Act* is amended by inserting after the word "cabs" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408, par. 1, amended.

(2) Paragraph 2 of the said section 408 is amended by inserting after the word "omnibuses" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408, par. 2, amended.

9. Paragraph 3 of section 414 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 414, par. 3, repealed.

3. For exercising the powers conferred on cities by paragraphs 2 to 6 of section 411, and for exercising the powers conferred on cities by section 412, Powers of certain townships to pass by-laws.

(a) This paragraph shall not apply to a building which was, on the day the by-law is passed, erected or used for any of the purposes enumerated in said paragraphs 2 to 6 of section 411 and in section 412, so long as it is used as it was used on that date.

10. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

414a.—(1) The council of a township bordering on or situate within ten miles of a city having a population of not less than 200,000 may with the assent of the electors qualified to vote on money by-laws in a defined area of the township enter into an agreement with any person for granting to such person the exclusive right, for a period not exceeding ten years, to maintain and operate busses for the conveyance of passengers in such area, over such highways in the area and at such rates for fares and charges and on such other terms and conditions as may be thought proper and providing that any deficit in operation shall be met by a special rate levied on all the rateable property in such area. Agreement for operation of busses for defined area of township.

(2) The defined area shall not include any part of the township which is covered by any agreement to which the township is a party respecting the furnishing of transportation facilities for passengers.

(3) The agreement shall not affect a permit granted under *The Public Vehicle Act*. Rev. Stat., c. 252.

(4) The rates for fares and charges may from time to time be increased or decreased by the Municipal Increase or decrease of fares.

Board once in any one year on the application of the township in consequence of any deficit or surplus resulting in the operation of the service.

Rev. Stat.,  
c. 233,  
amended.

**11.** *The Municipal Act* is amended by adding thereto the following section:

Power of  
certain town-  
ship in <sup>Part</sup>  
unorganized  
territory to  
pass by-laws  
for certain  
purposes.

415a. The council of a township in unorganized territory having a population of not less than 5,000 and which has been declared by order of the Municipal Board to be a township part of which is so built up and populated as to entitle it to be incorporated as a town under the provisions of this Act may pass by-laws for the purposes mentioned in,—

- (a) Paragraph 4 of section 399 under the heading "*Buildings—Strength of Walls, Beams, etc.*"
- (b) Paragraph 7 of section 399 under the heading "*Cab Stands and Booths.*"
- (c) Paragraph 8 of section 399 under the heading "*Cellars—Plans of.*"
- (d) Paragraph 46 of section 399 under the heading "*Stables, etc.*"
- (e) Sections 400 and 401 under the heading "*Markets, etc.*"
- (f) Section 408 under the heading "*Vehicles used for Hire, etc.—Livery and Boarding Stables.*"
- (g) Section 417 under the heading "*Auctioneers.*"
- (h) Section 419 under the heading "*Junk and Second-hand Shops, etc.*"
- (i) Paragraph 1 of section 424.
- (j) Paragraph 1 of section 428 under the heading "*Sale of Meat.*"
- (k) Paragraph 2 of section 428 under the heading "*Tobacconists.*"

Rev. Stat.,  
c. 233, s. 429,  
par. 6, cls.  
(a) to (d),  
repealed.

**12.** Clauses (a) to (d) of paragraph 6 of section 429 of *The Municipal Act* are repealed and the following substituted therefor:

*Transient Traders.*

For the purposes of paragraphs 5 and 6,—

- (a) "Transient traders" shall include any person <sup>"Transient traders,"—  
what to include.</sup> commencing business who has not resided continuously in the municipality for at least three months next preceding the time of his commencing such business there.
- (b) The by-law shall not apply to the sale of the <sup>Stock of insolvent.</sup> stock of a bankrupt or an insolvent, within the meaning of any Bankruptcy or Insolvency Act in force in Ontario, which is being sold or disposed of within the municipality in which he carried on business at the time of his becoming bankrupt or insolvent so long as no goods, wares or merchandise are added to such stock.
- (c) The by-law shall not apply to the sale of a <sup>Bona fide purchaser.</sup> business to a *bona fide* purchaser who continues the same.
- (d) The fee to be paid for the license shall not be <sup>Fees.</sup> less than \$100 in any municipality and shall not exceed in a city or town \$500 and in a township or village \$300.
- (e) The sum paid for a license shall be credited to <sup>Credit of fees on taxes.</sup> the person paying it on account of taxes thereafter payable by him.
- (f) Every transient trader who carries on business without a license shall be guilty of an offence <sup>Penalty for offence under this Act.</sup> and shall incur a penalty equal to the license fee which he should have paid and in addition thereto the sum of not less than \$10 and not more than \$200.
- (g) Every transient trader shall cause his license <sup>License to be displayed and penalty.</sup> to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and in default thereof shall incur a penalty of not less than \$1 or more than \$10.
- (h) Every applicant for a transient trader's license <sup>Application for license to contain certain information.</sup> shall as part of his application for such license furnish



furnish a statement in writing containing a full description of the goods, wares or merchandise which he proposes to sell or offer for sale under such license.

Rev. Stat.,  
c. 233, s. 438,  
subs. 1,  
amended.

**13.** Subsection 1 of section 438 of *The Municipal Act* is amended by inserting after the word "population" in the first line the following words "of not less than 100,000 may expend a sum not exceeding in any year twenty cents per head of its population and the council of a city having a population."

Rev. Stat.,  
c. 233, s. 438,  
subs. 1,  
amended.

**14.** Section 438 of *The Municipal Act* is amended by inserting in subsection 1, after the figures "\$3,000" in the fifth line thereof, the words "and the council of every township or town bordering on a city having a population of not less than 100,000 may expend a sum not exceeding in any year \$2,000."

Rev. Stat.,  
c. 233, s. 438,  
subs. 1,  
amended.

**15.** *The Municipal Act* is amended by adding thereto the following section:

Action for  
damages for  
nuisance on  
highway.

**469a.** The provisions of subsections 2 to 8 of section 469 shall apply to an action brought against a corporation for damages occasioned by the presence of any nuisance on a highway.

## CHAPTER 59.

An Act respecting the Acquisition of Land for  
Industrial Sites.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Industrial Sites Act, 1929*, Short title.
2. The council of any city, town, township or village may with the assent of the electors qualified to vote on money by-laws pass by-laws to acquire and expropriate land under and subject to the provisions of *The Municipal Act* and sell or lease the same for the purpose of sites for the establishment and carrying on of industries and industrial operations. Acquiring of land for industrial sites with assent of electors. Rev. Stat. c. 233.
3. The assent of the electors may be obtained by the submission of a general by-law authorizing the acquiring or expropriation of land for industrial sites and for borrowing money for that purpose not exceeding a stated amount, and if the assent of the electors is obtained to such general by-law the council may by a two-thirds vote of all the members and without further assent pass by-laws from time to time to borrow money for such purpose by the issue of debentures payable within a term not exceeding thirty years from the issue thereof. Submission of general by-law.
4. Any land so acquired shall not be sold or leased except at a price or rental which may be determined by a judge of the county or district court on application to him for that purpose, as the fair market value or fair rental value, as the case may be, of the land having regard to Restrictions on sale or leasing.
  - (a) the price paid by the municipality for the land, including all carrying charges thereon; and
  - (b) the proximity to transportation facilities of the particular parcel proposed to be sold or leased and its value in relation to the value of the whole block acquired.
5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 60.

## An Act to amend The Local Improvement Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 235, s. 2,  
subs. 1, cl. m.  
amended.

1. The clause lettered (m) of subsection 1 of section 2 of *The Local Improvement Act* is repealed and the following substituted therefor:

(m) Constructing retaining walls, dykes, breakwaters, groynes, cribs and other shore protection works along the banks of rivers, streams or creeks or along the shores of lakes.

Rev. Stat.,  
c. 235,  
s. 2, subs. 1,  
amended.

2. Subsection 1 of section 2 of *The Local Improvement Act* is amended by adding thereto the following clause,—

“(q) widening on petition only, a pavement on a street.”

Rev. Stat.,  
c. 235, s. 20,  
amended.

3. Section 20 of *The Local Improvement Act* is amended by adding thereto the following subsection,—

Case of  
widening  
pavement.

(3) Where the work is the widening of a pavement on a street the lots on each side of such street shall be deemed to abut directly on the work.

Rev. Stat.,  
c. 235, s. 29,  
subs. 1,  
amended.

4. Subsection 1 of section 29 of *The Local Improvement Act* is amended by adding after the word “street” in the sixth line thereof the following words: “or the construction of any work mentioned in clause (m) of subsection 1 of section 2.”

Rev. Stat.,  
c. 235, s. 34,  
amended.

5. Section 34 of *The Local Improvement Act* is amended by adding thereto the following subsection,—

Lifetime  
of work of  
widening  
pavement.

(3) Where the work is the widening of a pavement which has been constructed as a local improvement and the lifetime of which has not expired, the unexpired portion of the lifetime of the pavement so constructed shall be the lifetime of the work.

Commence-  
ment of  
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 61.

## An Act to amend The Planning and Development Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Planning and Development Act, 1929.* Short title.

**2.** Section 5 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat. c. 236, s. 5, amended.

(3a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway. Private street, lane, etc., deemed highway.

**3.** Section 6 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat. c. 236, s. 6, amended.

(2) Where the tract of land is situate in the urban zone or joint urban zone of a city having a population of not less than 200,000 it shall only be necessary to submit the plan of survey and subdivision to the council of such city and to the council of the municipality in which the tract of land is situate, and the provisions of clauses *c*, *d* and *e* shall apply. Case of land in urban zone of city over 200,000.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 62.

## An Act to amend The Suburban Area Development Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Suburban Area Development Act, 1929.*

Rev. Stat.  
c. 237,  
amended.      **2.** *The Suburban Area Development Act* is amended by adding thereto the following section:

Approval of  
council as  
to issue of  
debentures.

10. Notwithstanding anything contained in this Act or in any agreement entered into under section 5, the issue of debentures and the amount of any debenture debt to be incurred for any of the purposes to which this Act relates shall at all times be in the discretion of the council of the township and the board shall not enter into any contract or bind itself in any way to the expenditure of money to be raised by the issue of debentures without the approval of the council first had and obtained.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 63.

## The Assessment Amendment Act, 1929.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 10 of *The Assessment Act* is amended by striking out in the first line the words "the amount of" so that the subsection will now read as follows: Rev. Stat., c. 238, s. 10, subs. 2, amended.

(2) The income to be assessed shall be the income received during the year ending on the 31st of December then last past. Assessment of, how fixed.

**2.** Sections 12 and 13 of *The Assessment Act* are repealed and the following substituted therefor: Rev. Stat., c. 238, ss. 12, 13, repealed.

12.—(1) The income of money invested in Ontario by a person resident out of Ontario and the income of money invested by such a person through an agent or trustee resident within Ontario shall not be assessed. Income of money invested by non-residents not assessable.

(2) Subject to subsection 1 the income of every estate or trust fund held by executors or administrators, trustees or agents shall, when the person beneficially entitled is resident out of Ontario, be assessed in the hands of such executors, administrators, trustees or agents who may pay the amount of taxes out of the income in their hands. Payment of tax by trustee out of income.

(3) Any executor, administrator, trustee or agent failing to pay the income tax thereon out of the trust fund shall be personally liable therefor. Failure of trustee to pay.

(4) Income received by an executor, administrator, trustee or agent which is not distributable annually but is accumulated shall be liable to assessment from year to year but shall not be liable to be again assessed when the accumulated fund is distributed. Assessment of income not distributed annually.

Place of  
assessment.

- (5) An assessment under this section shall be made at the place of the residence of the testator at the time of his death or of the settlor at the date of the settlement, or, if this is not within Ontario, where the trustee or agent resides, or, if there be more than one, where the chief business of the trust is carried on.

Rev. Stat.,  
c. 238, s. 20,  
subs. 1,  
amended.

3. Subsection 1 of section 20 of *The Assessment Act* is amended by striking out the words "showing his total income from all sources during the current year and in ascertaining such income subsection 2 of section 10 shall apply" in the fifth, sixth and seventh lines and substituting therefor the words "showing the income received during the year ending on the 31st of December then last past."

Rev. Stat.,  
c. 238,  
s. 57, subs. 1,  
amended.

- 4.—(1) Subsection 1 of section 57 of *The Assessment Act* is amended by striking out the words at the end thereof "and the owner of the land shall have the right to appeal, as provided in section 121."

S. 57, subs. 2,  
amended.

- (2) Subsection 2 of the said section 57 is amended by striking out the words at the end thereof "and the party so assessed and taxed shall have the right of appeal as provided in section 121."

S. 57,  
amended.

- (3) The said section 57 is further amended by adding the following subsection:

Notice  
to person  
taxed and  
right of  
appeal.

- (3) Where the clerk performs any of the duties required by this section he shall forthwith thereafter deliver to or send by registered letter post to the person so taxed a notice setting out the amount of the assessment and of the taxes entered on the roll, and such person shall have the right to appeal within ten days thereafter to the court of revision, and an appeal may also be had to the county judge by such person or by the municipality from any decision of the court of revision.

Rev. Stat.,  
c. 238, s. 60,  
subs. 3,  
amended.

5. Subsection 3 of section 60 of *The Assessment Act* is amended by striking out in the last two lines the words "within three days after the decision of the court of revision is given" and inserting in lieu thereof the words "within five days after the decision of the court of revision where it is given at the hearing of the appeal, and where it is reserved within five days after written notice of such decision has been delivered to the appellant or sent to him by registered letter post by the clerk of the court."

6. Section 112 of *The Assessment Act* is amended by Rev. Stat., c. 238, s. 112, amended. adding thereto the following subsection,—

- (12) Where the person making any such distress and Costs of distress,— levy is a salaried employee of the municipal corporation the costs in respect to such distress and when to belong to corporation. levy shall belong to the corporation.

7. Section 121 of *The Assessment Act* is repealed and the Rev. Stat., c. 238, s. 121, repealed. following substituted therefor:

121.—(1) An application to the court of revision for the Application to Court of Revision for cancellation or reduction of taxes. cancellation or reduction of taxes may be made by any person assessed,—

- (a) for a tenement which remained vacant during more than three months in the year in which the assessment was made; or
- (b) who declares that from sickness or extreme poverty he is unable to pay his taxes; or
- (c) who by reason of any gross or manifest error in the assessment roll has been overcharged; or
- (d) for business who has not carried on such business for the whole year in which the assessment was made,

and the court of revision subject to the provisions of any by-law governing clauses (a), (b) and (c) may cancel or reduce the taxes or reject the application.

- (2) In the case of a municipality in which the assessment Time for making application. is made in one year and adopted by the council of the following year as the assessment for such following year the application may be made at any time during such following year, and in the case of any other municipality at any time after the person assessed has received notice of taxes and before the first day of July in the following year, and five days' notice in writing shall be given to the clerk of the municipality of the application.

- (3) There shall be no appeal from the decision of the Appeal under clause (d). court of revision under clauses (a), (b) or (c) but an appeal may be had to the county judge by such person or by the municipality from any decision of the court of revision made under clause (d).



Tenant though not on roll may be required to pay part of taxes.

- (4) Where any person makes application for the reduction of taxes on a business assessment the court of revision may on notice to such person direct that a proper proportion of the taxes be levied against the tenant or person who occupied the premises and carried on business there in the year in which the assessment was made, for the time during which the said tenant was in occupation, although the name of such tenant or person does not appear on the assessment roll in respect of said premises. In determining the amount payable regard shall be had to the nature of the business carried on.

Rev. Stat., c. 238, s. 143, subs. 1, repealed.

8. Subsection 1 of section 143 of *The Assessment Act* is repealed and the following substituted therefor,—

Percentage to be added to arrears.

- 143.—(1) In cities having a population of not less than 100,000 the treasurer, or the collector if the rolls are unreturned, shall add to the amount of all taxes due and unpaid interest from the first day of May in the year following the year in which such taxes are levied until such taxes are paid, at the rate of six per cent. per annum on taxes due in respect to any parcel of land and at the rate of six per cent. per annum on taxes due in respect to any business or income assessment, and such interest shall form part of the taxes and shall be collected irrespective of any percentage charge imposed under the provisions of section 111 of this Act.

## CHAPTER 64.

## An Act to Confirm Tax Sales and Deeds.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Tax Sales Confirmation Act, 1929.* Short title.

**2.** All sales of land situate within any municipality in Ontario held prior to the thirty-first day of December, 1924, and purporting to have been made for arrears of taxes payable to a municipal corporation in respect to the lands so sold are confirmed and declared to be legal, valid and binding, and all deeds of lands so sold, executed as required by *The Assessment Act* and purporting to convey the said lands to the purchaser thereof or his assigns, are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested, in the purchaser, his heirs, assigns or legal representatives in fee simple or otherwise according to the nature of the estate or interest sold free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon except taxes accruing after those for non-payment of which the said lands were so sold. Confirmation of tax sales and deeds. Rev. Stat., c. 238.

**3.** Section 2 shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands. Where municipality is purchaser.

**4.** Nothing in this Act contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. Pending litigation not affected.

**5.** This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act.* Not to apply to lands forfeited under Rev. Stat., c. 28.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 65.

## An Act to amend The Municipal Franchises Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Municipal Franchises Act, 1929*.

Rev. Stat.,  
c. 240, s. 1,  
amended.

**2.** Section 1 of *The Municipal Franchises Act* is amended by adding thereto the following clause:

"Gas,"—  
meaning of.

(d) "Gas" shall include natural gas, artificial gas, or any mixture of natural gas and artificial gas.

Rev. Stat.,  
c. 240, s. 3,  
subs. 1,  
amended.

**3.** Subsection 1 of section 3 of *The Municipal Franchises Act* is amended by striking out the words "including natural gas" in the seventh line thereof.

Rev. Stat.,  
c. 240, s. 6,  
amended.

**4.** Section 6 of *The Municipal Franchises Act* is amended by inserting before the word "except" at the commencement of the section the words "subject to the provisions of section 2 and except as therein provided and"; by striking out the words "natural gas or electric light or power" after the word "supplying" in the sixth and seventh lines of clause *a*, and inserting in lieu thereof the word "gas", and by striking out the word "natural" before the word "gas" in the second line of clause *b*, so that the first two lines and the said clauses *a* and *b* will now read as follows:

Exceptions.

**6.** Subject to the provisions of section 2 and except as therein provided and except where otherwise expressly provided this Act shall not apply to a by-law,—

(a)

- (a) granting the right of passing through the municipality for the purpose of continuing a line, work or system which is intended to be operated in or for the benefit of another municipality and is not used or operated in the municipality for any other purpose except that of supplying gas in a township to persons whose land abuts on a highway along or across which the same is carried or conveyed, or to persons whose land lies within such limits as the council by by-law passed from time to time determines should be supplied with any of such services. <sup>Works originating in another municipality.</sup>
- (b) conferring the right to construct, use and operate works required for the transmission of oil, gas or water not intended for sale or use in the municipality. <sup>Pipe lines.</sup>

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## CHAPTER 66.

## An Act to amend The Public Libraries Act.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,  
c. 246, s. 29,  
amended.

**1.** Section 29 of *The Public Libraries Act* is amended by adding thereto the following subsection:

Compensation for ex-  
propriated  
land.

- (2) The provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the public library board, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the secretary of the board, or at his office, as the case may be.

Rev. Stat.,  
c. 233.

Rev. Stat.,  
c. 246, s. 39,  
subs. 1,  
amended.

**2.—(1)** Subsection 1 of section 39 of *The Public Libraries Act* is amended by striking out the words "seventy-five cents" in the fifteenth line and inserting in lieu thereof the figures "\$1."

Commence-  
ment of  
section.

(2) Subsection 1 shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 67.

## An Act to amend The Public Utilities Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 23 of *The Public Utilities Act* is amended by adding after the word "municipality" where it appears in the fourth line thereof, the following: "including the power to supply the public utility to owners and occupants of land in such adjoining municipality." Rev. Stat., c. 249, s. 23, amended.

## CHAPTER 68.

## An Act to amend The Highway Traffic Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Highway Traffic Amendment Act, 1929.*

Rev. Stat.,  
c. 251, s. 8,  
amended.      **2.** Section 8 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Regulations.      (3) The Lieutenant-Governor in Council may make regulations providing for the temporary exemption from registration of commercial vehicles or vehicles used by non-residents doing business in Ontario.

Rev. Stat.,  
c. 251, s. 15,  
amended.      **3.**—(1) Section 15 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Length  
of vehicle or  
combination  
of vehicles.      (2) No vehicle shall exceed the length of 33 feet and no combination of vehicles coupled together shall exceed the total length of 65 feet.

Rev. Stat.,  
c. 251, s. 15,  
subs. 2,  
amended.      (2) Subsection 2 of the said section is amended by striking out the word and figure "subsection 1" in the first and second lines, and substituting the words "this section" and by re-numbering it subsection 3.

Rev. Stat.,  
c. 251, s. 23,  
amended.      **4.** Section 23 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Rate of  
speed on  
highway  
adjacent to  
cities of  
100,000.      (2a) The council of any municipality bordering on or adjacent to a city having a population of not less than 100,000 may by by-law approved by the Department prohibit a motor vehicle from being operated at a greater rate of speed than 20 miles per hour on certain highways or parts of highways in the municipality, and every such highway shall be marked to comply with the regulations of the Department.

5. Subsection 3 of section 26 of *The Highway Traffic Act* is amended by striking out the word "six" in the second line thereof and substituting therefor the word "eight."

Rev. Stat.,  
c. 251, s. 26,  
subs. 3,  
amended.

6. Subsections 1, 2 and 3 of section 29 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 251, s. 29,  
subs. 1, 2  
and 3,  
repealed.

(1) In this section,—

Inter-  
pretation.

(a) "Class 'A' Highway" shall mean a highway designated as such by the Minister.

(b) "Class 'B' Highway" shall mean a highway not designated by the Minister as a "Class 'A' Highway."

(2) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'A' Highway" having a gross weight in excess of the following, unless a special permit has been issued pursuant to section 30;

Restriction  
on weight of  
vehicle and  
load on  
"Class 'A'  
Highway."

(a) The gross weight of a vehicle of four wheels with two driving axles spaced more than 8 feet apart shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds.

As to weight  
upon four  
wheels with  
two driving  
axles.

(b) The gross weight of a vehicle of six wheels so designed that under any loading conditions the ratio of the weight on the middle axle to the weight on the rear axle remains constant, shall not exceed 30,000 pounds and the weight on one axle shall not exceed 15,000 pounds.

As to weight  
upon six  
wheels.

(c) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds.

As to weight  
on non-  
pneumatic  
tires.

(d) The gross weight of a vehicle other than those mentioned in the preceding clauses shall not exceed 20,000 pounds and the weight upon one axle shall not exceed 15,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 12,000 pounds.

As to weight  
of other  
vehicles.

(3) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'B' Highway"

Restrictions  
as to "Class  
'B' High-  
way."

having



having a gross weight in excess of the following, unless a special permit has been issued pursuant to section 30;

As to weight  
of vehicle  
and load.

- (a) The gross weight of a vehicle shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 10,000 pounds.

Rev. Stat.,  
c. 251, s. 30,  
subs. 1,  
amended.

7. Subsection 1 of section 30 of *The Highway Traffic Act* is amended by striking out all the words after the words "excess of" in the fourth line and inserting in lieu thereof the words "the limits prescribed by sections 15 or 29."

Rev. Stat.,  
c. 251, s. 31,  
subs. 6  
and 7,  
repealed.

8. Subsections 6 and 7 of section 31 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Extension of  
period by  
municipality  
or other  
authority.

- (6) The municipal corporation or other authority having jurisdiction over any highway, may declare the provisions of subsections 2, 3 and 4 to extend and apply to highways under its jurisdiction during any period of the year; provided, however, that a by-law of a municipality passed under the authority of this subsection, shall not take effect until it has received the approval of the Minister.

Extension of  
period by  
Lieutenant  
Governor in  
Council.

- (7) In the case of highways under the jurisdiction of the Department, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, declare the provisions of subsections 2, 3 and 4 to extend and apply during any period of the year.

"Minister,"  
meaning of.

- (8) In this section "Minister" in the case of a county shall<sup>1</sup> mean the Minister of Public Works and Highways, and in the case of a district shall mean that member of the Executive Council to whom, for the time being, the administration of *The Northern Development Act* is assigned.

Rev. Stat.,  
c. 36,

Rev. Stat.,  
c. 251, s. 41,  
repealed.

9. Section 41 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Motor  
owner and  
driver liable  
for penalties.

41. The owner of a motor vehicle shall incur the penalties provided for any violation of this Act or of any regulation made by the Lieutenant-Governor in Council, unless at the time of such violation the motor vehicle was in the possession of some person other than the owner or his chauffeur, without the owner's consent, and the driver of a motor vehicle not being the owner shall also incur the penalties provided for any such violation.

**10.** Section 57 of *The Highway Traffic Act* is amended by adding after the word "provincial" in the fourth line the words "or county," and by adding after the word "Department" in the seventh line the words "and if on a county highway to the treasurer of the county." Rev. Stat., c. 251, s. 57, amended.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 69.

## An Act to amend The Liquor Control Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Liquor Control Amendment Act, 1929*.

Rev. Stat.,  
c. 257, s. 36,  
amended.      **2.** Section 36 of *The Liquor Control Act* is amended by inserting after the word "place" in the tenth line, the words "in Ontario."

Rev. Stat.,  
c. 257, s. 42,  
subs. 2,  
repealed.      **3.** Subsection 2 of section 42 of *The Liquor Control Act* as amended by section 6 of *The Liquor Control Amendment Act, 1928*, is repealed and the following substituted therefor:

Disqualifi-  
cation of  
premises on  
conviction.

- (2) If the occupant of a residence or of any part thereof, including the rooms of any lodgers, boarders or tenants therein, or any member of the family of such occupant is convicted of keeping a disorderly house or of an offence against any of the provisions of this Act committed in or in respect of such residence or rooms, or in respect of any liquor kept therein or removed therefrom, the justice making the conviction may in and by the conviction, declare such residence or the rooms of such lodgers, boarders or tenants therein or both to be a public place for the purposes of this Act and such residence or rooms or both, shall cease to be a residence within the meaning of this Act for a period of one year after the date of such conviction; provided that the Board may when satisfied of a *bona fide* change of ownership or occupation of such residence or rooms or both, or when it is desirable to do so, declare such residence or rooms or both, to be a residence within the meaning of this Act and may grant a certificate to such effect to the new owner or occupant of such residence or rooms or both and such residence or rooms or both shall from the date of the granting of such certificate, signed by the Chief Commissioner or Deputy Chief

Proviso.

Commissioner

Commissioner of the Board, be a residence and cease to be a public place within the meaning of this Act.

4. Section 43 of *The Liquor Control Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 257, s. 43,  
amended.

- (7) Notwithstanding anything in this Act contained where any permit granted for the purchase of liquor under this Act is cancelled, all the liquor purchased under such permit and in the possession of the permit holder at the date of cancellation, shall *ipso facto* be forfeited to His Majesty in the right of the Province. Forfeiture of  
liquor on  
cancellation  
of permit.

5. *The Liquor Control Act* is amended by adding thereto the following section: Rev. Stat.  
c. 257,  
amended.

45a.—(1) Nothing in this Act contained shall be deemed to authorize, Prohibition  
as to manu-  
facture and  
sale of cer-  
tain bever-  
ages not the  
product of  
Ontario.

(a) any brewer to keep for sale and sell to the Board, or to sell or deliver under any circumstances whatever in Ontario; or

(b) the Board to keep for sale or sell; or

(c) any brewer's agent, brewer's warehouseman, retail dealer or other person whomsoever to keep for sale, sell or deliver in Ontario,

any ale, beer, porter, stout, lager, light beer, malt extract or any other liquid product manufactured from grain except such products as are manufactured from pure barley malt produced from barley grown and malted in Ontario.

(2) Every brewer, brewer's agent, brewer's warehouseman, retail dealer or other person who sells or offers for sale any product produced, malted or manufactured otherwise than as specified in subsection 1 shall incur a penalty of not less than \$100 nor more than \$2,000. Penalty.

(3) This section shall not apply to imports from the Provinces of Canada nor to imports from Great Britain and Ireland. Application  
of Section.

(4) This section shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commence-  
ment of  
Section.

Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended.  
Taking  
time for  
local option  
vote.

**6.**—(1) Subsection 2 of section 69 of *The Liquor Control Act* is amended by striking out the words "on or before November 1st of the year in which the vote is taken" in the twenty-third line of the said subsection.

Rev. Stat.,  
c. 257, s. 69,  
subs. 5,  
repealed.

(2) Subsection 5 of the said section 69 is repealed and the following substituted therefor:

Date of  
polling.

(5) The day fixed for taking the vote on any question shall be the day upon which under *The Municipal Act*, or any by-law passed under that Act, a poll would be held at the annual election of members of the council of the municipality unless the Board fix some other day and notify the clerk of the municipality to that effect on or before the 1st day of November of the year in which the vote is taken; but a poll shall not be held on any such question until after the expiration of two months from the passing of a by-law for submitting the question, where the council submits the same without a petition, nor until after the expiration of two months from the filing of the petition, as the case may be.

Rev. Stat.,  
c. 257, s. 74,  
amended.

**7.** Section 74 of *The Liquor Control Act* is amended by adding thereto the following subsections:

Only one  
permit to  
each person.

(2) No official or person authorized to issue permits under this Act shall issue more than one permit for the purchase of liquor under this Act to any one individual.

Furnishing  
liquor on  
illegal  
permit.

(3) No vendor and no person acting as the clerk or servant of, or in any capacity for any vendor, shall furnish or sell liquor to any permit holder whose permit has not been acquired in accordance with the provisions of this Act and the regulations thereunder.

Rev. Stat.,  
c. 257, s. 88  
amended.

**8.** Section 88 of *The Liquor Control Act* is amended by adding thereto the following subsection:

False  
address.

(3) No person shall furnish a wrong or fictitious address in applying for the issue to him of a permit authorizing the purchase of liquor and beer.

Rev. Stat.,  
c. 257, s. 91,  
amended.

**9.** Section 91 of *The Liquor Control Act* is amended by adding thereto the following subsections:

Application  
by hotel  
owner.

(2) The Board upon the application of the owner or proprietor of any hotel may declare such hotel, or any designated part thereof, to be a public place

for the purposes of this Act and may grant a certificate to such effect signed by the Chief Commissioner or Deputy Chief Commissioner to the said owner or proprietor.

- (3) From the date of the granting of such certificate such hotel or any such designated part thereof, shall be a public place for the purposes of this Act and the provisions of subsection 1 hereof shall not apply to such hotel or such designated part thereof. Hotel declared a public place.
- (4) Upon the application of the owner or proprietor of any hotel to whom such certificate has been granted, the Board may at any time cancel such certificate and from the date of such cancellation the said hotel, or such part thereof as is designated in such certificate, shall for the purposes of this Act cease to be a public place and the provisions of subsection 1 shall apply to such hotel or such designated part. Cancellation of certificate.

**10.** Section 101 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 101, repealed.

- 101.—(1) Everyone who violates any of the provisions of subsection 1 of section 74 shall for a first offence be imprisoned for not more than six months and for a second or subsequent offence be imprisoned for not more than twelve months. Penalty for offence as to permits.
- (2) Every person who knowingly violates any of the provisions of subsections 2 and 3 of section 74, shall be imprisoned for not less than six months nor more than twelve months. *Ib.*
- (3) Every person who violates any of the provisions of section 76 hereof shall be imprisoned for not more than twelve months. Corrupt dealings of officials.

**11.** Subsection 3 of section 103 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 103, subs. 3, repealed.

- (3) Everyone who violates any of the provisions of sections 34, 35, 42, 56, 58, 59, 60, subsection 2 of section 72, or sections 84, 88, 90, 91 or 92 shall be liable for a first offence to a fine of not less than \$100 nor more than \$1,000 and in default of immediate payment shall be imprisoned for a period of three months and for a second or subsequent offence to imprisonment for three months. Penalties

(a)

Illegal  
consump-  
tion.

- (a) Everyone who violates any of the provisions of subsection 2 of section 81 shall be liable for a first offence to a penalty of not less than \$10 nor more than \$50 and in default of immediate payment, to imprisonment for not more than thirty days; for a second offence to a penalty of not less than \$50 nor more than \$100 and in default of immediate payment to imprisonment for not less than one month nor more than two months, and for a third or subsequent offence, to imprisonment for not less than three months nor more than six months without the option of a fine.

Rev. Stat.,  
c. 257, s. 104,  
amended.

- 12.** Section 104 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Increased  
penalties in  
certain  
cases.

- (3) Where any person charged with an offence against any of the provisions of this Act, is found in possession of liquor purchased in accordance with the provisions of this Act, which liquor exceeds the sum of \$50 in value, or where such person is found in possession of any liquor not purchased in accordance with the provisions of this Act, the justice making the conviction shall in addition to any other penalty prescribed, impose on such person a sentence of not less than one month nor more than three months' imprisonment unless such person establishes, to the satisfaction of the justice, the circumstances under which such liquor was obtained, the person from whom such liquor was so obtained and the manner in which it came into the possession of the person so charged.

Rev. Stat.,  
c. 257, s. 113,  
repealed.

- 13.** Section 113 of *The Liquor Control Act* is repealed and the following substituted therefor:

Impounding  
and forfei-  
ture of  
vehicles, etc

- 113.—(1)** Where liquor is found by any provincial police inspector, constable or other officer on any premises or in any place or in any vehicle, motor car, automobile, vessel, boat, canoe or conveyance of any description and in such quantities as to satisfy the inspector, constable or officer that such liquor is being had or kept contrary to the provisions of this Act, it shall be lawful for the inspector, constable or officer to forthwith seize and remove by force, if necessary, any liquor so found and the packages in which the liquor was had or kept, together with any vehicle, motor car, automobile, vessel, boat, canoe or conveyance containing such liquor.

- (2) Where liquor and any vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing liquor has been seized by an inspector, constable or officer under any of the provisions of this Act, under such circumstances that the inspector or constable is satisfied that such liquor was had or kept contrary to any of the provisions of this Act, he shall under the provisions of this section retain such liquor and the packages in which the same was had or kept, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance. <sup>Duty of officer.</sup>
- (3) If within thirty days from the date of the seizure no person by notice in writing filed with the Board, claims to be the owner of the liquor and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor, the liquor and all packages containing the same, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor shall *ipso facto* be forfeited to His Majesty in the right of the Province and shall forthwith be delivered to the Board. <sup>Forfeiture.</sup>
- (4) If within the said time any claimant appears, it shall be incumbent upon him within that time and after three days' notice in writing filed with the Board stating the time and place fixed for the hearing, to prove his claim and his right under the provisions of this Act to the possession of such liquor and packages to the satisfaction of any justice, and on failure within that time to prove and establish his claim and right, the liquor and packages and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance in which such liquor was found shall *ipso facto* be forfeited to His Majesty in the right of the Province. <sup>Onus on claimant.</sup>

**14.** Subsection 2 of section 139 of *The Liquor Control Act* is amended by adding thereto the following clause: <sup>Rev. Stat., c. 257, s. 139, subs. 2, amended.</sup>

- (b) Except so far as otherwise provided by this Act the Consolidated Rules of Practice and Procedure of the Supreme Court of Ontario relating to appeals to the Appellate Division of the Supreme Court of Ontario shall apply to appeals under this section. <sup>Practice on appeals.</sup>



## CHAPTER 70.

An Act for the Prevention of Fraud in the  
Sale of Alberta Coal.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Alberta Coal Sales Act, 1929.*

Particulars  
to be stated  
in advertis-  
ing Alberta  
coal.

**2.** Every person who advertises in Ontario in any newspaper or by poster, circular or in any other manner, that he is importing into Ontario or selling or offering for sale or delivery in Ontario coal produced in Alberta shall state in such advertisement the name of the area or district in Alberta in which such coal was produced and the trade name under which the same is registered in Alberta.

On sale  
notes, etc.

**3.** Every person who by himself, his servant or agent sells or delivers, or offers for sale or delivery in Ontario by wholesale or retail, coal produced in Alberta, shall deliver to the purchaser a bill, weight ticket, invoice or sale note which shall state the area or district in which such coal was produced and the trade name under which the same is registered in Alberta.

Penalty for  
omission.

**4.** Every person who, by himself or his servant or agent, sells or delivers in Ontario coal produced in Alberta in contravention of the foregoing provisions of this Act or any of them, shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment thereof shall be liable to imprisonment for a period not exceeding three months.

For false  
statements.

**5.** Every person, who being the importer or vendor of coal produced in Alberta for delivery in Ontario by wholesale or retail, in any advertisement in a newspaper, circular or poster, or in any other document or publication, or upon any bill, weight-ticket or invoice makes any false or untrue statement as to the name of the area or district in Alberta in which such coal was produced, or as to the trade name of such coal as registered in Alberta shall incur a penalty of not less than

\$100 nor more than \$500 and in default of payment thereof shall be liable to imprisonment for a period not exceeding six months.

**6.** This Act shall come into force on the 1st day of June, <sup>Commence-</sup><sub>ment of Act.</sub>  
1929.

## CHAPTER 71.

An Act for the Better Prevention of Silicosis among  
Stone Workers.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      **1.** This Act may be cited as *The Silicosis Act, 1929*.
- "Silicosis,"  
meaning of.      **2.** In this Act "Silicosis" shall mean silicosis of the lungs (a fibroid condition of the lungs caused by the inhalation of silica dust).
- Certificate as  
to fitness.      **3.** A person shall not be employed in the cutting, polishing or finishing of granite who is not the holder of a subsisting certificate given by a medical examiner under this Act that such person is medically fit to be employed in such occupation.
- Term and  
renewal of  
certificate.      **4.** Every certificate issued under this Act shall be for such period and shall be renewable upon such conditions as may be prescribed by the regulations.
- Masks,  
etc., to be  
supplied.      **5.** The owner, manager, proprietor or superintendent of any works in which the cutting and polishing of granite is carried on shall provide such masks and other appliances to be used by the persons employed in such works for their protection against silicosis as may be approved from time to time by the Minister of Health.
- Precautions  
to be taken.      **6.** Every such owner, manager, proprietor and superintendent shall at all times take such precautions and use such appliances as may be directed by the Factory Inspection Branch of the Department of Labour.
- Regulations.      **7.** The Lieutenant-Governor in Council may make regulations for the appointment of medical examiners for the purposes of this Act and for prescribing the methods and procedure to be adopted for the examination of applicants for certificates of fitness, and the fees payable for such examination.

8. The Minister of Health with the approval of the Lieutenant-Governor in Council may make such regulations from time to time as may be deemed desirable for the better security of workmen employed in cutting, polishing and finishing granite and for their protection against silicosis or other industrial diseases which may be contracted in pursuing their occupation.

Regulations  
as to pro-  
tection of  
granite  
workers.

9. The Minister of Health with the approval of the Lieutenant-Governor in Council may extend the operation of this Act so as to include workmen employed in cutting, polishing, finishing or grinding any stone or substance other than granite, and may extend the application of any regulations to the works in which they are employed.

Extension of  
operation  
of Act.

10. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 72.

## An Act to amend The Factory, Shop and Office Building Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Factory, Shop and Office Building Act, 1929.*

Rev. Stat.,  
c. 275, Em-  
ployment of  
children  
prohibited.

**2.** Notwithstanding anything contained in Part I of *The Factory, Shop and Office Building Act*, no child under fourteen years of age shall be employed in a factory.

Application of Act.

**3.** Notwithstanding anything contained in section 8 of *The Factory, Shop and Office Building Act*, Part I of the said Act shall apply to any factory in which machinery operated or driven by steam, electric or other motive power is used.

Rev. Stat.,  
c. 275, s. 28,  
repealed.

**4.** Section 28 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor:

Employ-  
ment of  
adolescents.

**28.** No person under sixteen years of age shall be employed in any shop or factory during school hours unless such person shall have furnished to the employer a certificate issued in accordance with the provisions of *The Adolescent School Attendance Act* permitting the absence of such person from school, and such certificate shall be kept on file by the employer and produced whenever called for by the inspector.

Rev. Stat.,  
c. 275, s. 30,  
repealed.

**5.—(1)** Section 30 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor:

Employment  
of women by  
Chinese.

**30.—(1)** No Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry.

Commence-  
ment of  
section.

**(2)** Subsection 1 shall not come into force until a day to be named by the Lieutenant-Governor by his Proclamation.

(2) The amendment made by subsection 1 of this section shall have effect as from the 31st day of December, A.D. 1927.

Amendment retro-active.

6. Section 34 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following clause:

Rev. Stat. c. 275, s. 34, amended.

- (a) In all cases where any child, youth, young girl or woman works beyond the number of hours in any one day or in any one week as provided in this Act, and whether the inspector under this Act has permitted exemption or not, such child, youth, young girl or woman shall be entitled to be paid wages for such overtime, and the Minimum Wage Board of Ontario shall have the right to establish a rate of wage for all such overtime worked in any one day or in any one week.

Payment for overtime.

7. Section 37 of *The Factory, Shop and Office Building Act* is amended by striking out the figures "31" in the third and fourth lines respectively and inserting in lieu thereof the figures "33."

Rev. Stat. c. 275, s. 37, amended.

Hours of employment.

8. Subsection 7 of section 59 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor:

Rev. Stat. c. 275, s. 59, subs. 7, repealed.

- (7) No person under the age of eighteen years shall be allowed to regularly operate or control an elevator in a factory, shop or office building.

Age of person operating elevators.

9. Whenever in *The Factory, Shop and Office Building Act* it is provided that a penalty may be imposed for an offence against that Act and no minimum penalty is prescribed, no less penalty shall be imposed upon conviction of the offence than an amount equivalent to one-tenth of the maximum penalty, and in no case less than \$10.

Minimum penalty.

10. Section 82 of *The Factory, Shop and Office Building Act*, relating to the application of penalties, is repealed.

Rev. Stat. c. 275, s. 82, repealed.

11. Schedule A to *The Factory, Shop and Office Building Act* is amended by inserting the words "paint shops and varnish shops" before the words "paint works" in the said schedule.

Rev. Stat. c. 275, Schedule A, amended.

12. Form 5 in Schedule B to *The Factory, Shop and Office Building Act* is amended by striking out the word "Saturday" in the fifth line and inserting in lieu thereof the words "such day of the week as may be arranged."

Rev. Stat. c. 275, Schedule B, Form 5, amended.

Act to  
be read as  
part of Rev.  
Stat. c. 275.

**13.** This Act shall be read with and as part of *The Factory, Shop and Office Building Act*, and the said Act shall be interpreted as amended hereby, and words and phrases used in this Act shall have the meaning given to the same words and phrases respectively, by section 1 of *The Factory, Shop and Office Building Act*.

Commence-  
ment of  
Act.

**14.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 73.

## An Act to provide for Old Age Pensions.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Old Age Pensions Act, 1929*. Short title.

2. In this Act,—

Inter-pretation.

- (a) "Commission" shall mean such department or branch of the Government or commission or other body of persons as may be appointed or designated by the Lieutenant-Governor in Council to administer this Act; "Com-mission."
- (b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board or commission appointed for the purposes of this Act by the council of such county, city or separated town, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act; "Local authority."
- (c) "Minister" shall mean that member of the Executive Council designated by the Lieutenant-Governor in Council to have charge of the administration of this Act; "Minister."
- (d) "Provisional judicial district" shall include the provisional county of Haliburton. Haliburton.

3. The Lieutenant-Governor in Council may enter into an agreement with the Governor-General in Council as to a general scheme of old age pensions in the Province pursuant to the provisions of any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder, and for the payment by the Dominion to the Province quarterly of an amount equal to one-half of the net sum paid out during the preceding quarter by the Province for old age pensions pursuant to the provisions of this Act. Agreement with Dominion Government authorized.



Payment of  
pensions.

4. The Lieutenant-Governor in Council may by Order-in-Council authorize and provide for the payment of old age pensions to the persons and under the conditions specified in any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder.

Application  
for  
pension.

5. An application for a pension under this Act shall be made in the first instance to the local authority in such manner and accompanied by such proofs as the regulations may require, and the local authority shall give its decision in writing upon each application, but the granting or refusal of a pension in any case shall be subject to appeal to the Commission and the Commission may disallow, modify or alter any order or ruling of the local authority and the decision of the Commission shall be final and binding, but the Commission may reconsider any decision and may rescind, alter or amend any order, direction or ruling previously made by it under the authority of this Act.

Payments  
out of  
appropriations.

6. Every pension granted under this Act and the expenses incurred in the administration of this Act shall be paid out of such moneys as may be voted by the Legislature and appropriated for those purposes and shall be paid by the Treasurer of Ontario upon the direction in writing of the chairman or other head of the Commission, countersigned by the Minister, and every such direction shall be final and conclusive and shall not be subject to further examination or audit by any provincial authority, and the Treasurer upon receiving the direction shall issue the cheque and the Provincial Auditor shall countersign same.

Contributions by  
county,  
city or  
town.

7.—(1) Every direction for payment of a pension under this Act shall name the county, city or separated town or provisional judicial district of which the person to whom the pension is payable shall be deemed a resident for the purposes of this Act.

Notice to  
municipality.

(2) Notice in writing, signed by the chairman or other head of the Commission, that such pension has been granted with the name and place of residence of the person to whom the same is payable and stating that the municipal corporation of the county, city or town will be required to contribute to such pension as hereinafter provided, shall be sent by registered post to the clerk of the corporation of the county, city, or town in which such person is resident.

Amount of  
contribution.

(3) Every municipal corporation named by the Commission as a contributor under this section shall at such intervals and upon such dates as may be fixed by the regulations pay to the Treasurer of Ontario an amount equal to twenty per centum of

the pension, and every such amount shall be a debt due to the Crown from the corporation and recoverable with costs by action at the suit of the Treasurer of Ontario.

(4) Where the person to whom a pension is payable under this Act is a resident of some place in a provisional judicial district, other than a city or a town of 10,000 or more population, contributions shall not be required under this section.

Provisional  
judicial  
districts.

8. Every pension granted under this Act shall be exempt from provincial and municipal taxes and shall not be subject to garnishment or attachment or seizure or any legal process and shall be unassignable.

Pension not  
liable to  
taxation,  
attachment,  
etc.

9. If under the authority of the Parliament of Canada, or for any other reason whatsoever, the Government of Canada shall cease to make the contributions provided for under the *Old Age Pensions Act* of the Dominion of Canada, or fails to carry out the agreement entered into under the authority of this Act, the right to the granting or continuance of any pension under this Act shall thereupon cease and determine and no further payment of pensions shall be made under this Act.

Right to  
pension to  
cease on  
Dominion's  
failure to  
contribute.  
R. S. C.,  
c. 156.

10.—(1) Where a pensioner is the owner of an interest in a dwelling house in which he resides and the Commission accepts a transfer to it of such interest, the pension payable to the pensioner shall not be subject to any reduction in respect of the annual value of such interest, but the Commission shall, on the death of the pensioner or upon his ceasing to use such dwelling house as his place of residence, be entitled to sell the pensioner's interest therein and to retain out of the proceeds of such sale the amount of all payments made to the pensioner by way of pension in excess of the amount he would have received if such interest had not been transferred to the Commission, together with interest on the said payments at the rate of five per centum per annum, compounded annually.

When  
annual  
value of  
pensioner's  
residence  
not to affect  
pension.

(2) The Commission shall be entitled to recover out of the estate of any deceased pensioner, as a debt due by the pensioner to the Commission, the sum of the pension payments made to such pensioner from time to time, together with interest at the rate of five per centum per annum compounded annually.

Recovery  
of pension  
payments  
out of  
deceased  
pensioner's  
estate.

(3) No claim shall be made by the Commission for the recovery of such debt directly or indirectly out of any part of the pensioner's estate which passes by will or on an intestacy to any other pensioner or to any person who has, since the grant of such pension or for the last three years during which such

Right not to  
extend to  
property  
passing to  
another  
pensioner  
or to person  
maintaining.

pension has continued to be paid, regularly contributed to the support of the pensioner by the payment of money or otherwise to the extent which, having regard to the means of the person so having contributed, is considered by the Commission to be reasonable.

When  
pension to  
be paid to  
trustee.

**11.** In the event of the incapacity of any pensioner or if the Commission considers that the pensioner is using, or is likely to use his pension otherwise than for his own benefit, the Commission may direct the payment of the pension to a trustee or trustees approved by the Commission to be expended for the benefit of the pensioner.

Manage-  
ment of  
property by  
Commission.

**12.** The Commission may, with the consent of the pensioner, assume the management of any property, real or personal, belonging to the pensioner.

Pensioners  
not dis-  
qualified  
from  
voting.

**13.** The receipt of a pension shall not by itself disqualify any person from voting at any provincial or municipal election.

Regulations

**14.** The Lieutenant-Governor in Council may make regulations,—

- (a) designating or establishing the Commission and for providing for the appointment of a chairman, vice-chairman and other officers, and the appointment of clerical and other assistance in the office of the Commission;
- (b) providing for the payment of salaries or other remuneration and expenses of the members of the Commission and of the officers, clerks and servants thereof, and generally respecting the keeping of accounts and expenditures;
- (c) for the appointment of boards or commissions to act as a local authority in any defined territory in a provisional judicial district;
- (d) prescribing the form of application for pensions and the proofs to be furnished therewith;
- (e) respecting the procedure of the local authority upon the hearing of applications for pensions and the procedure on appeals to the Commission;
- (f) regulating the times at which pensions granted under this Act shall be payable;
- (g) providing for the payment of any pension or part thereof granted under this Act to any statutory or

other

other committee or trustee of the estate of the person to whom the pension is granted, or with the consent of the pensioner to any person or trust or corporate body undertaking or liable for the maintenance and care of any person to whom a pension is granted under this Act,

but no regulation by reference to which any agreement with the Governor-General in Council shall be made shall be altered, nor shall any change be made in any scheme for old age pensions approved by the Governor-General in Council except with the consent of the Governor-General in Council or in accordance with the provisions of the regulations to which he has agreed.

**15.** In the absence of any special appropriation of the Legislature available for the purposes of this Act, all moneys necessary to meet the old age pensions payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act, shall be paid out of the Consolidated Revenue Fund.

Payment  
out of  
consolidated  
revenue.

**16.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of Act

## CHAPTER 74.

## An Act to amend The Juvenile Courts Act.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Juvenile Courts Act, 1929*.

Rev. Stat.,  
c. 281, s. 2,  
subs. 2,  
repealed.

**2.** Subsection 2 of section 2 of *The Juvenile Courts Act* is repealed and the following substituted therefor:

Deputy  
judge,—  
appoint-  
ment of.

(2) The Lieutenant-Governor in Council may appoint a deputy judge of the juvenile court and the deputy judge or in the case of the absence or illness of the judge and on the written request and with the written approval of the Attorney-General, any other person may act as judge of the juvenile court.

Rev. Stat.,  
c. 281, s. 14,  
subs. 2,  
amended.

Limitations  
as to costs of  
juvenile  
courts.

**3.** Subsection 2 of section 14 of *The Juvenile Courts Act* is amended by striking out in the clause lettered *a* the figures "\$30,000" and inserting in lieu thereof the figures "\$50,000"; by striking out of the clause lettered *b* the figures "\$10,000" and inserting in lieu thereof the figures "\$25,000"; by striking out in the clause lettered *c* the figures "\$6,000" and inserting in lieu thereof the figures "\$15,000", and by striking out in the clause lettered *d* the figures "\$3,500" and inserting in lieu thereof the figures "\$8,000," so that the said subsection will now read as follows:

Salaries of  
judge and  
amount of  
expenses.

(2) The Lieutenant-Governor in Council may fix the salary to be paid to the judge and the amount to be appropriated for other salaries and for the expenses of the court, and such salaries and expenses shall be paid by the city, town or county at the time and in the manner set forth in such Order-in-Council; provided that where fixed by the Lieutenant-Governor in Council the total amount so directed to be paid for the expenses of the court, including salaries, but exclusive of the cost of providing court room and offices and detention home, shall fall within the following limits:

Where

Where the district covered by the court has,

- (a) a population of more than 200,000, not more than \$50,000;
- (b) a population of more than 75,000, but less than 200,000, not more than \$25,000;
- (c) a population of more than 25,000, but less than 75,000, not more than \$15,000;
- (d) a population less than 25,000, not more than \$8,000.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 75.

## An Act respecting Hotels.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Hotels Act, 1929*.

*Preliminary*

Commence-  
ment of  
Act.      **2.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Repeal.      **3.** The following Acts and parts of Acts are hereby repealed:

*The Liquor Control Act, R.S.O. 1927, chapter 257, sections 140 and 141.*

*The Prevention of Accidents by Fire in Hotels Act, R.S.O. 1927, chapter 286.*

*The Standard Hotel Registration of Guests Act, R.S.O. 1927, chapter 258.*

*The Innkeepers Act, R.S.O. 1927, chapter 210.*

Recovery of  
penalties.  
Rev. Stat.,  
c. 121.      **4.** The penalties which may be imposed under this Act or under the regulations made under the authority of this Act shall be recoverable under *The Summary Convictions Act*.

Inter-  
pretation.      **5.** In this Act,—

"Hotel."      (a) "Hotel" shall mean a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose

of supplying food and lodging by the week or otherwise commonly known as "boarding houses" or of furnishing living quarters for families and having a dining-room or restaurant commonly known as "apartment houses" or "private hotels";

- (b) "Hotelkeeper" shall include the owner or lessee of a <sup>"Hotel keeper."</sup> hotel and the manager, superintendent or any other person having charge of and carrying on the business of a hotel;
- (c) "Inspector" shall mean and include any officer <sup>"Inspector."</sup> designated or appointed by the Liquor Control Board or by the Lieutenant-Governor in Council for the purpose of seeing that the provisions of this Act and of the regulations made thereunder are duly complied with;
- (d) "Licensing authority" shall mean that member of <sup>"Licensing authority."</sup> the Executive Council, a commission, board or other body constituted under any other Act, or any commission or board designated or constituted by the Lieutenant-Governor in Council for the administration of this Act.

### *Hotel Licenses*

**6.** Subject to the regulations and to the provisions of this <sup>Hotel</sup> section and sections 7 to 10 the licensing authority may issue <sup>licenses,—</sup> to a person carrying on the business of a hotel, upon payment of the prescribed fee and upon compliance with the conditions prescribed by the regulations to this Act a license to carry on such business. <sup>issue of.</sup>

**7.** Every such license shall continue in force until the 31st <sup>Term</sup> day of May next following the date of the issue thereof and may be renewed annually thereafter upon payment of the prescribed fee. <sup>of license.</sup>

**8.** No license shall be issued for a hotel unless and until <sup>Submission</sup> the plans of the hotel, in such form as may be prescribed by the regulations, have been submitted to and approved by the licensing authority, nor until any structural alterations in, or additions to the premises directed by the licensing authority have been certified by the inspector in writing to have been completed. <sup>of plans.</sup>

**9.** The holder of a license issued under this section and sections 7 to 10 shall be entitled to sell all non-intoxicating <sup>Rights</sup> drinks and beverages, cigars, cigarettes and tobacco, and to <sup>of license</sup> <sup>holder.</sup>

conduct



conduct an ice cream or general restaurant or cafe without further municipal or other license.

Penalty for  
operating  
without  
license.

**10.** Every hotelkeeper who carries on the business of a hotel unless and until he has procured a license under the provisions of this Part shall incur a penalty of not less than \$10 nor more than \$50 for a first offence and for a subsequent offence a penalty of \$100 and after a second offence he shall be deemed incapable of holding a license under this Act.

### *Registration*

Register.

**11.** Every licensee, owner, manager or other person in charge of a hotel shall keep in such hotel a register in which shall be entered the name and usual place of residence of every person admitted as a guest in such hotel and occupying a room therein alone or with any other person, together with the number of the room so occupied.

Penalty for  
neglect  
to keep  
register.

**12.**—(1) Any such licensee, owner or manager of a hotel who neglects to keep such register or to see that the particulars required by section 11 are entered therein, or who knowingly and wilfully permits any untrue statement as to the name or place of residence of the guest to be entered in the register shall be guilty of an offence and shall incur a penalty of not less than \$10 nor more than \$50 and in default of payment may be imprisoned for a period not exceeding three months.

Forfeiture  
of license.

(2) In addition to any other penalty, where the person committing such an offence is the licensee, or any person acting for him or with his knowledge, the license to keep the hotel shall upon conviction of the offender, be deemed to be forfeited.

Inspection of  
hotels.

(3) Every hotel as defined by this Act and the register cards and other documents required to be kept by this Act, shall at all times be open to inspection by an inspector or any other officer designated for such purpose by the licensing authority.

False  
registration.

**13.** A person who applies for admission as a guest in any hotel and who registers under or represents himself as bearing some other name than his own, or who in registering or procuring admission to a hotel, makes any false statement as to his ordinary place of residence, shall incur a penalty of not less than \$20, nor more than \$200, and in default of payment may be imprisoned for a period not exceeding three months.

Penalty  
for false  
registration  
as man  
and wife.

**14.** Every male person who procures or attempts to procure or authorizes or permits any other person to procure

lodgings

lodgings in a hotel for himself and any woman whom he falsely holds out to be his wife, or of whom he falsely holds himself out or permits himself to be represented as the husband, and every such woman shall be guilty of an offence and shall incur a penalty of not less than \$100 nor more than \$500 and in default of payment may be imprisoned for a period not exceeding three months.

*Prevention of Accidents by Fire*

**15.**—(1) Every hotel exceeding two storeys in height shall have permanent outside iron stairways or ladders and balconies as defined in section 16 from each landing or floor above the first or ground floor, of such number, design, construction and location as shall be deemed necessary by the inspector in charge of the district in which such hotel is located, and at least one such stairway or ladder shall be required in every case. Outside stairway or ladder.

(2) Such stairway or ladder shall be securely attached to the building, shall have sufficient strength to sustain a weight of at least one thousand pounds per ten feet of vertical height of the stairway or ladder measured from its lowest point, and shall extend to at least within six feet of the ground. Specifications.

(3) A standard enclosed fireproof and smokeproof stairway within the building, constructed to the satisfaction of the inspector in charge of the district in which the building is located, shall be deemed to be the equivalent of such stairway or ladder. Substitution of fireproof inside stairway.

**16.**—(1) A balcony of iron construction shall be erected outside each door, window or other exit leading from each floor above the first or ground floor, to an outside stairway or ladder of such design, construction and location as shall be deemed necessary by the inspector in charge of the district in which such hotel is located. Balcony

(2) A balcony floor shall be not more than three inches lower than the bottom of the door or window in cases where the door or window opening on to the balcony extends to or within one foot of the floor level, but in other cases a balcony floor shall be not less than ten inches nor more than fifteen inches below the bottom of such outlet. Balcony floor.

**17.**—(1) Access to such stairway or ladder shall be unobstructed and shall not be through a room used as a bedroom, bathroom or for any other purpose that obstructs free passage, nor shall such access be veiled from open view by ornamentation, curtains or any other thing. Access to stair or ladder.

Doors and windows to open outwards.

(2) Doors or windows at such balconies shall be hinged so as to open outward in such a manner that they will not interfere with the exit flow of traffic, and so that they will in their opened position leave the full width of the balcony free for use.

Exterior doors.

(3) All exterior doors other than rotary or rotating doors on the ground floor shall be hinged to open outwards.

Indication of exits.

**18.**—(1) Where electric light is available a red light shall be kept burning during the night at each immediate point of exit to any outside stairway or ladder or other emergency means of escape, and all exits shall be marked with the word "Exit" in letters not less than six inches high, and no other red light shall be used within the premises.

Placards to be displayed.

(2) Placards at least eight inches in height and printed in letters at least two inches high stating that the exits by stairway or outside fire escapes are at the red lights and indicating the direction shall be displayed in prominent locations, including the office where the register is kept, and at each landing of each stairway used by the public.

Notice to be posted in each sleeping apartment.

(3) A notice shall be posted up in the office and each sleeping apartment or bedroom calling attention to the fire escapes and containing full directions for the use of the same, as well as a statement explaining the situation of outside stairways or ladders and the means of access to the same.

Duty as to stairways.

**19.** It shall be the duty of the owner of the hotel to erect and maintain such stairways or ladders as may be required under this Act and it shall be the duty of the keeper or proprietor of the hotel to keep the way or passage to the stairway or ladder at all times unobstructed and free of access.

Ropes.

**20.**—(1) Every hotel shall provide in every sleeping apartment or bedroom above the first or ground floor a rope not less than seven-eighths of an inch in thickness, of sufficient length to reach from its fastening through a window of the room to the ground, and such rope shall be firmly secured to a safe fastening at the side of the window at least two feet above the sill, and every bedroom window shall be so arranged that it may be opened with ease and conveniently secured in an open position.

Position of ropes.

(2) Ropes shall be kept coiled or looped in a convenient position so that they can be promptly extended to the ground without any delay.

Exceptions.

(3) This section shall not apply to any hotel of two or more storeys in height constructed in the manner commonly

known

known as fireproof construction unless in the opinion of the inspector in charge of the district in which the hotel is located, the arrangements of fire escapes, ladders, outside stairways and other precautions in case of fire are insufficient and written notice thereof is given to the hotel by such inspector or by the licensing authority.

**21.** The keeper of any hotel containing fifty or more bed-rooms furnished for use, shall employ a night watchman who shall be on duty from ten o'clock each night until six o'clock on the following morning. Night watchman—employment of.

**22.**—(1) If an owner, lessee, keeper or proprietor of any hotel neglects to observe any of the provisions of sections 15 to 26 or of any regulations made under this Act he shall incur a penalty for each offence of not less than \$20 nor more than \$200. Penalty.

(2) A conviction for any such offence shall not be a bar to prosecution for a continuance of such neglect subsequent to the conviction, but such continuance shall constitute a new and separate offence.

**23.** It shall be the duty of all inspectors and other qualified officers to take all necessary proceedings to enforce this Act. Enforcement of Act.

**24.** Nothing in this Act shall affect any by-laws relating to the matters mentioned herein and lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-laws so far as such by-laws impose additional or more stringent requirements than those imposed by this Act. Municipal by-law not affected.

**25.**—(1) No hotel license nor beverage permit shall be granted to any hotel as defined in section 5, until a certificate is furnished by the inspector certifying that the requirements of sections 15 to 26 have been complied with. Refusal of permit until certain requirements complied with.

(2) The granting or refusal of such a certificate by the inspector shall be subject to review by the licensing authority. Review by licensing authority.

**26.** Where by any statute or municipal by-law or by any regulation made under a statute or by-law, the owner, proprietor, lessee, occupant, manager, or other person owning, occupying or having the control or management of a building, is required to provide fire escapes, means of exit, stairways, or other structures, or any appliance for the safety of inmates or of the public in case of fire, and it is shown in any action brought against such person to recover damages for death or injury occasioned by fire in such building, that such require-

ments or any of them have not been complied with at the time of the fire, it shall be presumed, in the absence of evidence to the contrary, that such non-compliance was the cause of the death or injury.

*Rights and Liabilities of Hotelkeepers*

"Hotel,"—  
meaning of.

**27.** In this and the following sections the term "hotel" in addition to its meaning as defined in section 5 of this Act shall extend to and include any place of refreshment the keeper of which is by law responsible for the goods and property of his guests, and "hotelkeeper" shall include the keeper of such place.

Lien on  
baggage for  
accommoda-  
tion  
furnished.

**28.—(1)** Every hotelkeeper and every boarding-house keeper and lodging-house keeper shall have a lien on the baggage and property brought upon the premises by the guest, boarder or lodger for the value or price of any food or accommodation furnished to him or on his account.

Power to  
sell baggage,  
etc.

(2) In addition to all other remedies provided by law he shall have the right, in case the same remains unpaid for three months, to sell by public auction the baggage and property of such guest, boarder or lodger, on giving one week's notice by advertisement in a newspaper published in the municipality in which the hotel, boarding-house or lodging-house is situate, of the intended sale.

Notice  
of sale.

Particulars  
to be con-  
tained in  
notice of  
sale.

(3) The advertisement shall state the name of the guest, boarder or lodger, the amount of his indebtedness, the time and place of sale and the name of the auctioneer, and shall give a description of the baggage or other property to be sold.

Application  
of proceeds  
of sale.

(4) The hotelkeeper, boarding-house keeper or lodging-house keeper may apply the proceeds of the sale in payment of the amount due to him and the costs of such advertising and sale, and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor.

Lien on  
carriage,  
and horse.

(5) Every keeper of a livery stable, boarding stable or garage shall have a lien on every horse or other animal, boarded at, or vehicle (including motor vehicle) left in such livery stable, boarding stable or garage, for his reasonable charges for boarding, caring for and keeping such horse, animal or vehicle, and for the cost of any goods or merchandise supplied or services rendered in connection therewith at the request of the owner or of the person leaving such horse, other animal or vehicle in the livery stable, boarding stable or garage.

(6) Where a hotelkeeper, boarding-house keeper, lodging-house keeper, livery stable, boarding stable or garage keeper has a lien upon a horse or other animal or upon a vehicle for the value or price of any food or accommodation or for goods and merchandise supplied, or for care or labour bestowed thereon, he shall, in addition to all other remedies provided by law, have the right, in case the same remains unpaid for two weeks, to sell by public auction such horse or other animal or vehicle, on giving two weeks' notice by advertisement in a newspaper published in the municipality in which the hotel, boarding-house, lodging-house, livery stable, boarding stable or garage is situate, or, in case there is no newspaper published in the municipality, in a newspaper published nearest to such hotel, boarding-house, lodging-house, livery stable, boarding stable or garage, of the intended sale.

Lien on horses and conveyances and power to sell.

(7) The advertisement shall state the name, if known, of the person or persons who brought such horse or other animal or vehicle to the hotel, boarding-house, lodging-house, livery stable, boarding-stable or garage, the amount of the indebtedness and the name of the auctioneer, and shall give a description of the horse or other animal or vehicle.

Advertisement of intended sale.

(8) The hotelkeeper, the keeper of the boarding-house, lodging-house, livery stable, boarding-stable or garage may apply the proceeds of the sale in payment of the amount due to him, and the costs of such advertisement and sale and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor.

Proceeds of sale, — application of.

(9) "Accommodation" in this section shall include reasonable charges for the care, custody and storage of baggage or property.

"Accommodation," — meaning of.

(10) Property lost, or left with such hotelkeeper, lodging-house keeper or boarding-house keeper for purposes of storage and not claimed within three months by notice in writing from the person entitled thereto, shall be deemed to be baggage or property of a guest within the meaning of this section.

Property left in storage.

**29.**—(1) No hotelkeeper shall be liable to make good to any guest of his hotel any loss of or injury to goods or property brought to the hotel to a greater amount than the sum of \$40 except,—

Limitation of hotel-keeper's liability.

- (a) where such goods or property shall have been stolen, lost or injured through the wilful act, default or neglect of such hotelkeeper or any servant in his employ;

(b)

(b) where such goods or property shall have been deposited expressly for safe custody with such hotelkeeper,

Proviso.

Provided always that in the case of such deposit it shall be lawful for such hotelkeeper, if he thinks fit, to require as a condition of his liability that such goods or property shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same; and provided further if a hotelkeeper refuses to receive for safe custody as mentioned in clause b, any goods or property of his guest, or if such guest, through any default of such hotelkeeper, is unable to deposit such goods or property the hotelkeeper shall not be entitled to the benefit of this Act in respect thereof.

Liability only extended to property deposited for safe keeping and in guest room.

(2) Notwithstanding anything in this section unless expressly deposited with the hotelkeeper for safe keeping the hotelkeeper shall not be responsible for goods or property lost, injured or stolen in a part of his hotel other than the guest room of the owner of such goods.

Copy of section to be posted up in hotel.

(3) Every hotelkeeper shall cause at least one copy of this section printed in plain type to be exhibited in a conspicuous part of the hall or entrance to his hotel, and he shall be entitled to the benefit of this Act in respect of such goods or property only as shall be brought to his hotel in which such copy shall be so exhibited.

Limitation of lien on wearing apparel of servant or labourer to \$6.

**30.** The lien of a hotelkeeper, boarding-house keeper or lodging-house keeper upon the wearing apparel of any servant or labourer shall not extend to any greater sum than \$6, and on payment or tender of that sum, or of any less sum due, such wearing apparel shall be immediately given up, whatever may be the amount due by such servant or labourer.

Liability for damage by fire.

**31.** Notwithstanding anything herein contained a hotelkeeper, boarding-house keeper or lodging-house keeper shall not be liable for injury to, or loss of any goods or property aforesaid caused by fire or explosion unless it shall appear that such fire or explosion was caused by the wilful act, default or neglect of the hotelkeeper, boarding-house keeper or lodging-house keeper or any servant in his employ.

Action must be brought within one year.

**32.** No action shall be brought against any hotelkeeper, boarding-house keeper or lodging-house keeper by reason of any matter or thing occurring or arising in connection with the operation or maintenance of any hotel, boarding-house or lodging-house except within one year after such cause of action.



**33.** The Lieutenant-Governor in Council may make Regulations, regulations,—

- (a) classifying and grading hotels and prescribing and fixing the amount and kind of accommodation and the appointments and equipment, including sanitary and other conveniences, requisite for obtaining licenses for the different classes of hotels, and regulating and governing the hotels so licensed;
- (b) subject to the provisions of this Act, prescribing the materials to be used and the internal arrangements of hotels and the appliances and equipment to be kept therein and annexed thereto for the better protection of life and property from fire;
- (c) requiring security to be given by any licensee for the due observance of the provisions of *The Liquor Control Act* (Ontario) and for compliance with the regulations and the provisions of this Act for securing the safety of life and property in the hotel and for preventing the use of the premises or any part thereof for improper purposes and for fixing the amount of such security; Rev. Stat. c. 257.
- (d) fixing the license fee for each class of hotels and for the transfer of the license;
- (e) respecting the suspension or revocation of licenses and the causes therefor;
- (f) prescribing the conditions governing the issue and renewal and transfer of licenses and the form of licenses and transfers;
- (g) defining what shall constitute a "room" upon the hotel premises and extending the meaning of the term to include tents, camps or other temporary structures;
- (h) prescribing the form in which a register shall be kept by a hotelkeeper;
- (i) establishing standards and prescribing the kind of materials, equipment or apparatus to be used or provided for the protection of hotels and like buildings from fire and for the safety of persons occupying same from damage or injury by fire;



- (j) requiring the appliances to be used and precautions to be taken in the erection, management, furnishing, lighting and heating of hotels, and the precautions to be taken for securing the safety of life and property from fire in addition to those specified in this Act;
- (k) prescribing penalties for any breach of the regulations; and
- (l) generally for the better carrying out of the provisions of this Act.

## CHAPTER 76.

## An Act to amend The Fire Marshals Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fire Marshals Act, 1929*. Short title.
2. Section 9 of *The Fire Marshals Act* is amended by adding thereto the following subsection:
 

	<small>Rev. Stat., c. 295, s. 9, amended.</small>
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- (4) Whenever in any urban municipality a fire prevention bureau has been established by the corporation, or where the chief of the fire department of any urban municipality has designated one or more members of the fire department of such municipality as a fire prevention officer or officers, every person who is a member of such bureau or who is so designated, shall be an "assistant to the Fire Marshal" and shall be possessed of all the powers of an assistant to the Fire Marshal under this Act.
 

	<small>Assistants to the Fire Marshal.</small>
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3. Subsection 6 of section 20 of *The Fire Marshals Act* is repealed and the following substituted therefor:
 

	<small>Rev. Stat., c. 295, s. 20, subs. 6, repealed.</small>
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- (6) Every person who fails to obey an order made under clause *a* in subsection 2 after the time allowed for appeal therefrom has elapsed shall incur a penalty not exceeding \$100 per day for every day during which such default continues and every person who fails to obey an order made under clause *b* in subsection 2 shall incur a penalty not exceeding \$20 for each day upon which such default continues.
 

	<small>Penalties.</small>
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- (a) Every such penalty shall be recoverable before a police magistrate or two or more justices of the peace under *The Summary Convictions Act*, but the imposition of any such penalty or the payment thereof shall
 

	<small>Rev. Stat., c. 121.</small>
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not relieve any person convicted from fulfilling any obligation for the neglect of which the penalty was imposed.

Rev. Stat.,  
c. 295, s. 20,  
amended.

4. Section 20 of *The Fire Marshals Act* is amended by adding thereto the following subsection:

Action in  
absence of  
owner of  
premises.

(7) If the owner is absent from or is a non-resident of the Province, or his whereabouts within the Province is unknown, and there is no occupant of the building or premises, or his whereabouts within the Province is unknown, the Fire Marshal may direct and procure

(a) the removal of such buildings;

(b) the removal of such combustible or explosive material, or the removal of anything that may constitute a fire menace,

in such manner as he may deem proper, provided that no expense shall be incurred for such purpose beyond the amount of \$100 without the approval of the Minister.

Expenses.

(a) The expense so incurred shall be paid in the first instance out of any appropriation of the Fire Marshal's office.

(b) The Fire Marshal shall certify to the treasurer of the city, separated town or county within which the building, premises, or structure is situate, the expenses actually and necessarily incurred, and such treasurer shall forthwith pay the amount so certified to the Treasurer of Ontario, and the same may be entered upon the collector's roll against the land or premises in relation to which action was so taken and shall constitute a lien thereon and be levied and collected as taxes against such land or premises.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 77.

## An Act for the further Protection of Beaches.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Beach Protection Act, 1929*. Short title.

2.—(1) Notwithstanding anything contained in *The Beach Protection Act*, *The Beaches and River Beds Act* or any other Act, or in any regulation or order made under any of the said Acts, the Lieutenant-Governor in Council, upon the recommendation of the Minister of Mines, may direct the issue of a Proclamation prohibiting the taking, removal and carrying away by cart or truck, or by any boat or vessel or other water craft, or by any other vehicle or craft, of any sand, gravel, stone or earth from any bed, beach, shore or waters of, or adjacent to any part of the shores of Lake Erie, Lake Ontario or Lake Huron, or from any land covered by the waters of any of the said lakes adjacent to the said shore, or from any sandbar or flat therein or adjoining any channel or entrance thereto as described in the Order-in-Council, and such prohibition shall extend to the owner, tenant or occupant of any such bed, beach, shore, sandbar or flat and to any person claiming under the authority of any municipal corporation, or of any order of the Railway and Municipal Board and to every other individual and corporation.

Proclamation prohibiting removal of sand, gravel, etc.  
Rev. Stat., cc. 298, 299.

(2) Every person who contravenes the prohibition contained in any such Proclamation shall incur a penalty of not less than \$10 nor more than \$100 for each offence to be recoverable under *The Summary Convictions Act*.

Penalty.  
Rev. Stat., c. 121.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 78.

## An Act to amend The Dog Tax and Sheep Protection Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Act, 1929.*

Rev. Stat.,  
c. 300, s. 5,  
amended.

**2.** Section 5 of *The Dog Tax and Sheep Protection Act* is amended by striking out the words "having a population of not less than 100,000" in the third line.

Rev. Stat.,  
c. 300, s. 9,  
amended.

**3.** Section 9 of *The Dog Tax and Sheep Protection Act* is amended by adding thereto the following subsection:

(1a) The council of a township in unorganized territory with the assent of the municipal electors secured at any annual municipal election may pass a by-law providing that the municipality shall not be liable to the owner of the sheep for the amount of the damage, unless such owner furnishes proof to the satisfaction of the council that the sheep were killed or injured by dogs and not by wild animals.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 79.

An Act respecting the Transportation of Fowl  
on the Highways.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Transportation of Fowl Act, 1929.* Short title.

**2.** In this Act "Fowl" shall mean live fowl and dressed or undressed poultry. Interpretation.

**3.—**(1) Subject to subsection 2 this Act shall not apply to Non-application of Act.

(a) a *bona fide* producer or breeder of fowl, or

(b) a *bona fide* purchaser for his own use or a donee of twelve fowl or less;

(c) a person licensed under *The Public Commercial Vehicle Act.* Rev. Stat. c. 253.

(2) In a prosecution for a contravention of this Act the onus shall be on the person charged to prove that he comes within the provisions of clauses *a* or *b*. Onus of proof.

**4.** No person shall carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted under the hand of the warden and countersigned by the clerk under the corporate seal of the county in which he resides or carries on business, and where he does not reside or carry on business in any county in Ontario unless he holds such a permit granted by the warden of that county in Ontario nearest to his place of residence or business. Permit required for transportation of fowl.

**5.—**(1) The warden on behalf of the county may grant such permits without the passing of any by-law for that purpose by the council and may revoke any permit granted and shall Warden to issue permits.

have

have the same discretion as to the granting or refusing to grant or the revoking of permits as the council has with reference to licenses under *The Municipal Act*.

Rev. Stat.  
c. 233.

Fee.

(2) The fee for the permit shall be \$1 and shall belong to the county.

Contents of  
permit.

6. The permit shall contain the name of the person to whom it is granted, the address of his residence or place of business, and set out that the holder is authorized to transport fowl on the highways in Ontario and shall remain in force for the calendar year in which it is issued.

Record by  
clerk.

7. The clerk of the council shall keep a record of all permits issued which shall be open to inspection by any constable or peace officer.

Permit and  
book for  
entry as to  
fowl to be  
carried.

8. The holder of a permit shall carry with him at all times when he is transporting fowl his permit and a book in which he shall enter at the time he receives them the number and kind of fowl and the name and address of the person from whom he received them, and to whom he is to deliver them, and in case of a purchase the price paid and shall produce the permit and the book when required by a constable or peace officer.

Inspection of  
premises of  
permit  
holder.

9. Any constable or peace officer may inspect the premises of the holder of a permit and any vehicle in his possession and no person shall obstruct or interfere with such constable or peace officer when making such inspection.

Right of  
constable to  
stop person  
on highway  
for purposes  
of Act.

10. Any constable or peace officer may order any person on the highway to stop for the purpose of ascertaining, by search if he thinks it necessary, whether such person is carrying or transporting fowl, and, if he is, of requiring him to produce his permit, and, if he has not a permit, to give his name and address and the name and address of the person from whom the fowl were obtained; and if such person fails to stop when ordered or refuses to give the information required or obstructs or interferes with such constable or peace officer in the performance of his duty under this section he shall be guilty of a contravention of this Act.

Penalties.

11. Every person who contravenes any of the provisions of this Act shall be liable to a penalty not exceeding \$50 for the first offence, and not less than \$50 and not more than \$100 or to imprisonment for a period not exceeding six months or to both such penalty and imprisonment for the second or any subsequent offence.

**12.** The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*, except that an information may be laid within twelve months after the offence was committed.

Recovery of  
penalties,  
Rev. Stat.  
c. 121.

**13.** Section 425 of *The Municipal Act* is repealed.

Rev. Stat.,  
c. 233, s. 425,  
repealed.

**14.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of Act.



## CHAPTER 80.

## An Act to amend The Steam Boiler Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Steam Boiler Act, 1929*.

Rev. Stat.,  
c. 308,  
s. 1, cl. b,  
amended.      **2.** The clause lettered *b* in section 1 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" and inserting in lieu thereof the words, "Minister of Labour."

Rev. Stat.,  
c. 308, s. 2,  
amended.      **3.** Section 2 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" in the first and second lines, and inserting in lieu thereof the words, "Minister of Labour."

Commence-  
ment of  
Act.      **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 81.

## An Act respecting the Barberrry Shrub.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Barberrry Shrub Act, 1929*. Short title.
2. In this Act "barberrry" shall mean the species *Berberis Vulgaris L.* and its varieties such as *Berberis Vulgaris Var. Atropurpurea Rgl.* Interpretation "barberrry."
3. Every person who plants, cultivates or sells the shrub barberrry shall be guilty of an offence and shall incur a penalty not exceeding \$20 recoverable under *The Summary Convictions Act*. Penalty for planting. Rev. Stat., c. 121.
4. The council of any municipality may, and upon receipt of a petition signed by at least ten ratepayers of such municipality, or of a municipality immediately adjoining, shall by resolution direct the weed inspector to cause all barberrry in the municipality to be destroyed. Action by council.
5. After the passing of such resolution the weed inspector shall notify the owner of land on which barberrry is found to be growing to destroy the same and upon his neglect or refusal so to do within one month after service of notice in writing requiring such removal and destruction, the weed inspector may enter upon such land and remove and destroy all barberrry plants found thereon. Notice to owner and action by inspector.
- (a) In the case of non-resident land the mailing of the notice by registered post addressed to the owner at his place of residence as shown by the assessment roll shall be sufficient. Non-resident land.
- 6.—(1) The inspector shall keep an account of the expenses incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon Account of expenses and payment thereof.

and

and verified by oath, to the owner or occupant of resident land with a notice requiring him to pay the amount.

Railway  
lands.

(a) In the case of a railway company, the statement and notice may be given to a station master of the company resident in the municipality, or if there is no station master resident therein, to a station master resident in an adjoining or neighbouring local municipality.

Appeal  
to council.

(2) If the owner or occupant deems such expenses excessive, he may appeal to the council within thirty days after delivery of such statement, and the council shall determine the matter in dispute.

Collection  
of expenses.

(3) If the owner or occupant refuses or neglects to pay such expenses within thirty days after request for payment, the claim shall be presented to the council, and the council shall audit the same and allow it, or so much thereof as may be deemed just, and order the same to be paid from the general funds of the corporation.

Non-  
resident  
land.

(4) The inspector shall also present to the council a similar statement verified by oath of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land, and the council shall audit and allow the same, or so much thereof as may be deemed just, and shall pay so much of it as has been so allowed and such amount shall be charged against said land and collected in the same manner as taxes.

Rev. Stat.,  
c. 311,  
repealed.

7. *The Barberrry Shrub Act*, being chapter 311 of the Revised Statutes of 1927, is repealed.

## CHAPTER 82.

## An Act to amend The Game and Fisheries Act.

*Assented to 28th March, 1929.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Game and Fisheries Act*, Short title. 1929.

**2.**—(1) The clauses lettered *a*, *b* and *c* in section 7 of *The Game and Fisheries Act* as re-enacted by subsection 1 of section 2 of *The Game and Fisheries Act*, 1928, are amended by striking out the words “moose or caribou” in the first line in each of the said clauses and inserting in lieu thereof the words “or moose.”

Rev. Stat.,  
c. 318, s. 7,  
cls. *a*, *b* and *c*  
(1928, c. 52,  
s. 2, subs. 1),  
amended.

(2) The clause lettered *cc* in the said section 7 as enacted by subsection 1 of section 2 of *The Game and Fisheries Act*, 1928, is repealed and the following substituted therefor:

Rev. Stat.,  
c. 318, s. 7,  
cl. *cc* (1928,  
c. 52, s. 2,  
subs. 1),  
repealed.

(*cc*) Any deer or moose in that part of Ontario lying south of the French and Mattawa Rivers (but excluding therefrom the Counties of Bruce, Grey, Simcoe and York, and that part of Ontario lying south and west thereof, together with the counties of Leeds, Grenville, Dundas, Stormont, Glengarry and Carleton), except from the 5th day of November to the 20th day of November, both days inclusive.

Close season  
—deer and  
moose.

(3) The said section 7 is further amended by adding thereto the following clause:

Rev. Stat.,  
c. 318, s. 7,  
amended.

(*h*) Any caribou, or have in possession the carcass of any caribou or any part thereof.

Caribou.

**3.** Subsection 2 of section 9 of *The Game and Fisheries Act* is amended by striking out the words “the 1st day of March” in the fourth line and inserting in lieu thereof the words “the 15th day of March.”

Rev. Stat.,  
c. 318, s. 9,  
subs. 2,  
amended.

**4.**—(1) Subsection 3 of section 10 of *The Game and Fisheries Act* as amended by section 4 of *The Game and Fisheries Act*, 1928,

Rev. Stat.,  
c. 318, s. 10,  
subs. 3,  
amended.

Where  
permits  
required.

1928, is further amended by striking out the words "West Kent and West Elgin" and inserting in lieu thereof the words "Kent, Elgin, Middlesex, Perth, Oxford, Norfolk, Brant, Haldimand, South Huron and South Wellington."

Rev. Stat.,  
c. 318, s. 10,  
amended.

(2) The said section 10 is amended by adding thereto the following subsection:

Rabbit  
hunts.

(4) The Department may, upon application by residents of the Province, authorize the conducting of organized rabbit hunts by the applicants under the supervision of officers of the Department, and where such rabbit hunts are organized within the areas specified in subsection 3, the provisions of the aforementioned subsection as to the use of any fire-arm or air-gun except under the authority of a license, shall not apply to persons comprising such rabbit hunts.

Rev. Stat.,  
c. 318, s. 19,  
amended.

5. Section 19 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

License to be  
carried on  
person.

(6) No person to whom a license has been issued shall be entitled to hunt, pursue, kill or take any game animal or bird unless at the time of such hunting, pursuing, killing or taking he shall have such license on his person, and such licensee shall also wear in a conspicuous place the badge furnished by the Department and a license shall not be valid without the badge bearing the corresponding number.

Rev. Stat.,  
c. 318, s. 20,  
cl. d,  
amended.

6. The clause lettered *d* in section 20 of *The Game and Fisheries Act* is amended by striking out the words "or caribou" where it appears in the first line of the said clause.

Rev. Stat.,  
c. 318, s. 35,  
amended.

7. Section 35 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Poisoning  
wolves

(2) Notwithstanding the provisions of the foregoing section, the Department may issue to a limited number of expert trappers, permits authorizing the use of poison for the taking of wolves.

Rev. Stat.,  
c. 318, s. 36,  
amended.

8. Section 36 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Where  
snares  
prohibited.

(2) It shall be unlawful for any person to use snares for any purpose in the counties of Lennox, Addington, Frontenac, Leeds and Grenville.

**9.** Section 48 of *The Game and Fisheries Act* is amended by inserting after the word "vehicle" where it appears in the seventh and ninth lines respectively the words "aeroplane or any other flying machine." Rev. Stat., c. 318, s. 48, amended. Use of airplanes.

**10.** Subsection 2 of section 59 of *The Game and Fisheries Act* as amended by subsection 1 of section 9 of *The Game and Fisheries Act, 1928*, is further amended by inserting after the word "vehicle" where it appears in the fourth and fifth lines respectively the words "aeroplane or any other flying machine." Rev. Stat., c. 318, s. 59 subs. 2, amended. Use of airplanes.

**11.** This Act shall come into force on the 1st day of June, 1929. Commence, ment of Act .

## CHAPTER 83.

## An Act to amend The Wolf Bounty Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Wolf Bounty Act, 1929.*

Rev. Stat.,  
c. 329,  
amended.

2. *The Wolf Bounty Act* is amended by adding thereto the following sections:

Keeping  
wolves in  
captivity  
prohibited.

13. Every person who, except under the authority of a permit issued by the Department, keeps in captivity any live wolf shall in respect of any animal so kept, incur a penalty of not less than \$10 and not more than \$50 and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid.

Penalties for  
repeating  
bounties.

14.—(1) Every person who presents or sends to the Department for bounty, or who is a party to presenting or sending to the Department for bounty, any wolf skin upon which the bounty has been paid by the Department, shall incur a penalty of not less than \$20 and not more than \$100 in respect of every wolf skin so presented or sent, and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid.

Forfeiture of  
skin.

(2) Upon conviction for an offence under subsection 1 the justice shall order that every wolf skin in respect of which the offence was committed shall be confiscated and delivered to the Crown.

Burden of  
proof.

(3) Where in any action, prosecution or other proceeding under this Act, a person claims that bounty is payable in respect of a wolf skin and that such bounty has not been previously paid, the burden of proof shall be upon such person.

15. *The Summary Convictions Act* shall apply as to <sup>Rev. Stat.,</sup>  
prosecutions for offences under this Act. <sub>c. 121.</sub>

**3.** This Act shall come into force on the 1st day of June, <sup>Commence-</sup>  
1929. <sub>ment of Act.</sub>



## CHAPTER 84.

## The School Law Amendment Act, 1929.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The School Law Amendment Act, 1929*.

Rev. Stat.,  
c. 323, s. 88,  
amended.      **2.** Section 88 of *The Public Schools Act* is amended by adding thereto the following clause:

Insurance  
for  
teachers  
and officers.

(*tt*) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board.

Rev. Stat.,  
c. 323,  
amended.

**3.** *The Public Schools Act* is amended by adding thereto the following section:

Transporta-  
tion of  
pupils,  
arrange-  
ments as to.

**92a.** The board may provide or may co-operate with the boards of adjacent school sections in providing for the transportation of pupils to and from continuation schools, high schools or vocational schools which such pupils have the right by law to attend, and any payment or liability heretofore made or incurred for such purpose under agreement or otherwise shall be deemed to have been valid and to have been legally made or incurred.

Rev. Stat.,  
c. 323, s. 118  
subs. 2,  
repealed.

**4.** Subsection 2 of section 118 of *The Public Schools Act* is repealed and the following substituted therefor:

Inspectors'  
salaries.

(2) (*a*) Every county inspector appointed after the 1st day of May, 1926, and before the 1st day of May, 1929, shall be paid for the first year's service at the rate of \$3,000 per annum, and for each subsequent year's service at the rate of \$200 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$200 shall

be payable as from the 1st day of November of the year following that in which the inspector receives his appointment.

- (b) Every county inspector appointed after the 1st day of May, 1929, shall be paid for the first year of service at the rate of \$3,000 per annum and for each subsequent year's service at the rate of \$150 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$150 shall be payable as from the 1st day of November in the year following that in which the inspector receives his appointment.

5. The clause lettered *d* in section 1 of *The Continuation Schools Act* is amended by adding after the word "gymnasium" in the sixth line the words "and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations," so that the clause will now read as follows:

Rev. Stat.,  
c. 325, s. 1,  
cl. *d*,  
amended.

- (d) "Permanent improvements" shall include the purchase or rental of a residence for a teacher or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.

"Permanent  
improve-  
ments,"  
what to  
include.

6. The clause lettered *b* in subsection 2 of section 7 of *The Continuation Schools Act* is amended by adding thereto the following words:

Rev. Stat.,  
c. 325, s. 7,  
subs. 2,  
cl. *b*,  
amended.

"There shall be paid also by the county to a continuation school established in an incorporated village or in a consolidated school district the share of the cost of the education of county pupils which the area which constitutes a continuation school district of an incorporated village or a consolidated school district which maintains a continuation school paid to the county during the preceding year, as included in the rates levied by the county council according to the relative equalized value."

County  
grant to  
continua-  
tion school.

7. The clause lettered *k* in subsection 1 of section 1 of *The High Schools Act* is amended by adding after the word

Rev. Stat.,  
c. 326, s. 1,  
subs. 1,  
cl. *k*,  
amended.

"gymnasium"

"gymnasium" in the sixth line the words "and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations" so that the clause will now read as follows:

"Permanent improvements," what to include.

- (k) "Permanent improvements" shall include the purchase or rental of a residence for a teacher, or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium, and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.

Rev. Stat.,  
c. 326, s. 6,  
subs. 4  
(1928,  
c. 53, s. 4),  
amended.

8. Subsection 4 of section 6 of *The High Schools Act* as re-enacted by section 4 of *The School Law Amendment Act, 1928*, is amended by striking out the word "county" in the third line and inserting in lieu thereof the word "township," so that the subsection will now read as follows:

Appoint-  
ment of  
high school  
trustees.

- (4) The board of trustees shall be composed of six members who shall be appointed by the council of the township.

Rev. Stat.,  
c. 326, s. 23,  
c. f,  
amended.

9.—(1) The clause lettered *f* in section 23 of *The High Schools Act* is amended by inserting the word "resident" before the word "pupils" in the second line, and by striking out the words "in a township" in the third line so that the said clause will now read as follows:

Transporta-  
tion of  
pupils,  
arrange-  
ments as to.

- (f) to provide, where the board deems it expedient, for the transportation of resident pupils attending high school and to enter into an agreement for that purpose with any municipal corporation or commission, or with any other person authorized so to do for granting special rates or making other arrangements for the transportation of such pupils on any street railway or by bus or otherwise and to pay for such transportation out of any funds available for the maintenance of the high school.

Rev. Stat.,  
c. 326, s. 23,  
amended.

(2) The said section 23 is further amended by adding thereto the following clause:

- (kk) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board.

Rev. Stat.,  
c. 326, s. 37,  
amended.

10. Section 37 of *The High Schools Act* is amended by adding thereto the following subsection:

- (3a) When a notice under subsection 1, subsection 2 or subsection 3 has been given by a high school board to the clerk of the municipality, the pupils concerned shall have the right to attend the high school under the jurisdiction of such board until the expiration of one school year after the board has given notice on or before the 30th day of June in any year that the high school is no longer open to pupils under the terms of such subsections.

Right to attend school after notice from board that school open to county pupils, etc.

**11.** Subsection 5 of section 45 of *The High Schools Act* is repealed and the following substituted therefor:

Rev. Stat., c. 326, s. 45, subs. 5, repealed.

- (5) The council of a county or of any municipality within the county may enter into an agreement with the board of education or high school board of any city or separated town in the county, or with the board of a high school district in an adjacent county, for the payment of the whole or any part of any fees which may be legally imposed upon pupils from such county or municipality within the county attending a high school, collegiate institute or vocational school under the control of such board of education or high school board.

Agreements for payment of fees of non-resident pupils.

**12.** Section 2 of *The Boards of Education Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 327, s. 2, amended.

- (1a) The council of a town or village which has been established as a high school district in accordance with section 6 of *The High Schools Act*, may on or before the 1st day of October in any year, at a meeting specially called for that purpose, declare by resolution that it is expedient to form a board of education under this Act for the purpose of establishing and maintaining one or more public and high schools in the municipality.

Municipal board in town or village.

**13.** Section 14 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following clause:

Rev. Stat., c. 331, s. 14, amended.

- (ii) Prescribing the conditions upon which a teacher or inspector retiring from the profession before becoming entitled to a superannuation allowance may withdraw his contributions from the Fund, and defining his status as regards the Fund upon his return to employment in the profession, and defining and limiting the time and manner in which the right to so withdraw contributions may be exercised, and prescribing the time within which, after he returns to the profession, his contributions to the Fund may be returned to it.

Regulations as to withdrawal of contributions.

Rev. Stat.,  
c. 334, s. 12,  
amended.

**14.** Section 12 of *The Vocational Education Act* is amended by adding thereto the following subsection:

Appoint-  
ment of  
officers to  
advise  
vocational  
school  
pupils.

- (6) Subject to the approval of the Minister, an advisory committee may appoint one or more officers qualified according to the regulations, to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the advisory committee as will enable them to plan intelligently for their vocational and educational advancement, and every person so appointed shall be subject to the control of the advisory committee.

Rev. Stat.,  
c. 334, s. 13,  
amended.

**15.** Section 13 of *The Vocational Education Act* is amended by adding thereto the following subsection:

County  
council's  
grant for  
county  
pupils.

- (3) Grants towards the cost of education of county pupils, as defined in section 1 of *The High Schools Act*, in attendance at vocational schools or departments shall be made by county councils in the same manner as in the case of such pupils in attendance at high schools.

School  
Section 11,  
Bertie, to  
be a high  
school  
district.

**16.** The council of the county of Welland with the approval of the Minister may by by-law declare that School Section No. 11 in the township of Bertie, including therein the village of Crystal Beach which at the present time constitutes a continuation school district, shall be a high school district and thereupon trustees shall be appointed and such high school board shall have and may exercise all rights and powers, and perform all the duties and be subject to the like provisions as the board of a high school district established under *The High Schools Act*.

Commence-  
ment of Act,

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 85.

## An Act to amend The University Lands Act, 1928.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The University Lands Act*, Short title. 1929.

**2.** Section 2 of *The University Lands Act, 1928*, is amended <sup>1928,</sup> by striking out all the words therein down to the end of the <sup>c. 55, s. 2,</sup> thirtieth line and inserting in lieu thereof the words following: <sup>amended.</sup>

2. The lands described as follows, namely,—

*Firstly:* All and singular, that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario and being composed of part of lot number thirteen (13) according to plan registered in the Registry Office for the City of Toronto as number D-18, more particularly described as follows—Commencing at the southeasterly angle of said lot number thirteen (13) said angle being also the northeasterly angle of lot number fifteen (15) according to said registered plan D-18; thence northerly in a straight line a distance of one hundred and seventy-six feet and nine inches (176' 9'') more or less, said straight line being the production northerly of the easterly limit of said lot number fifteen (15), to a point where the said straight line intersects the northerly limit of said lot number thirteen (13); thence easterly along the said northerly limit of lot number thirteen (13) seventy-five feet and eight inches (75' 8'') more or less to the northeasterly angle thereof; thence southerly along the easterly limit of said lot one hundred and fifty-one feet and

Lands in  
and about  
Queen's  
Park vested  
in Crown.

ten inches (151' 10'') two (2) chains and thirty (30) links more or less to the place of beginning.

*Secondly:* The whole of lots numbers sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-five (25), twenty-six (26) and twenty-seven (27), according to said registered plan D-18.

Commence-  
ment of s. 2.

**3.** The amendment made by section 2 shall be deemed to have been in force and to have had effect on and from the 3rd day of April, 1928.

## CHAPTER 86.

An Act to amend The Research Foundation Act,  
1928.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Research Foundation Act*,<sup>Short title.</sup>  
1929.

2.—(1) Subsection 2 of section 5 of *The Research Foundation Act*, 1928,<sup>1928, c. 57,  
s. 5, subs. 2,  
amended.</sup> is amended by striking out the words "members and" in the third line, so that the subsection will now read as follows:

(2) The chairman shall preside at all meetings of the Foundation and shall have the control and direction of the administration of the Foundation and of the staff of the Foundation.<sup>Powers of chairman.</sup>

(2) The said section 5 is amended by adding thereto the following subsection:<sup>1928, c. 57,  
s. 5,  
amended.</sup>

(4) The Lieutenant-Governor in Council may appoint from among the members of the Foundation not more than twenty-five persons to constitute an advisory board to act with the chairman, vice-chairman and executive officers of the Foundation.<sup>Advisory board, appointment of.</sup>

3. Subsection 1 of section 6 of *The Research Foundation Act*, 1928,<sup>1928, c. 57,  
s. 6, subs. 1,  
amended.</sup> is amended by striking out the figures "\$1,000,000" in the last line and inserting in lieu thereof the figures "\$2,500,000," so that the subsection will now read as follows:

(1) The Foundation may enter into an agreement in writing with such persons as may desire to become subscribers to the Foundation for receiving from such persons subscriptions of money in sums of \$100, or multiples thereof, until the sum of \$2,500,000 has been subscribed.<sup>Subscribers to Foundation.</sup>



1928, c. 57,  
s. 7,  
amended.

4. Section 7 of *The Research Foundation Act, 1928*, is amended by inserting after the figures "\$1,000,000" in the second line the words "or upwards," and by striking out all the words in the said section after the word "thereafter" in the sixth line and inserting in lieu thereof the words "on the 30th day of April and the 31st day of October of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed by individuals and corporations to the Foundation during that period of the year as certified by the chairman," so that the section will now read as follows:

Payment  
up of  
subscrip-  
tions and  
contribu-  
tions by  
Govern-  
ment.

7. So soon as the chairman shall certify in writing to the Lieutenant-Governor in Council that the sum of \$1,000,000 or upwards has been subscribed and the sum of \$200,000 has been paid thereon, the Treasurer of Ontario may pay to the Foundation the sum of \$200,000 out of any moneys appropriated by the Legislature for that purpose and thereafter on the 30th day of April and the 31st day of October of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed by individuals and corporations to the Foundation during that period of the year as certified by the chairman.

1928, c. 57,  
amended.

5. *The Research Foundation Act, 1928*, is amended by adding thereto the following sections:

Right to  
acquire  
patents, etc.

10a. The Foundation may apply for, or acquire by purchase, assignment or otherwise, rights in any patent of invention for industrial or other processes of any nature or kind whatsoever, and may sell and dispose of the same, or any interest therein, and grant or assign any rights which may be acquired by the Foundation thereunder.

Property  
not liable  
to assess-  
ment.

10b. The real and personal property, business and income of the Foundation shall not be subject to assessment or taxation for municipal or provincial purposes.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 87.

An Act to amend The Registration of  
Nurses Act.*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Registration of Nurses Act*, 1929. Short title.

**2.** The clause lettered *b* in section 1 of *The Registration of Nurses Act* is repealed and the following substituted therefor: Rev. Stat., c. 360, s. 1, cl. b, repealed.

(b) A graduate of such training school, upon the payment of the fees prescribed by the regulations, shall be entitled to registration in a register kept for that purpose under the direction of the Minister of Health and a person while so registered may be designated "Registered Nurse." Persons who may be registered

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 88.

## An Act to amend The Probation Act.

*Assented to 28th March, 1929.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Probation Act, 1929*.

Rev. Stat.,  
c. 364,  
amended.

**2.** *The Probation Act* is amended by adding thereto the following section:

Dealing  
with person  
charged  
without  
conviction.

**7.—(1)** Where a person is charged with having committed an offence against any statute of Ontario the justice, police magistrate or court before which such person is brought for trial may make such inquiries as he deems proper as to the character and reputation of the person charged and as to whether or not he has been previously convicted of any offence under the *Criminal Code* or against a statute of Ontario, and if it appears that, regard being had to the age, character and antecedents of such person, that it is expedient that such person be released on probation of good conduct, such justice, police magistrate or court may release the person charged under one or more of the following directions and conditions:

Conditions.  
Recognizance.

(a) That such person enter into a recognizance with or without sureties to keep the peace, and be of good behaviour;

Probation.

(b) That such person be placed upon probation for such period and under such circumstances as the justice, police magistrate or court before which he is brought may prescribe;

Report to  
probation  
officer.

(c) That such person shall report from time to time during such period of probation to any probation officer that the justice, police magistrate or court may designate;

(d)

- (d) That such person shall be under the supervision and direction of such probation officer during the said period of probation, and shall obey and carry out the instructions and directions of the said probation officer; Supervision and direction.
  - (e) That such person pay the costs of the prosecution or some portion of the same within such period and by such instalments as the justice, police magistrate or court before which he is brought may direct; Payment of costs.
  - (f) That such offender make restitution and reparation to any person or persons aggrieved or injured by the offence charged, for any actual damage or loss thereby caused; Restitution.
  - (g) That such person while on probation be ordered to provide for the support of his wife and any other dependant or dependants for which he is liable; Support of family.
  - (h) That such person perform and carry out any other direction and condition that such justice, police magistrate or court before which he is brought may prescribe and deem proper to impose. Other conditions and directions.
- (2) The justice, police magistrate or court before which such person is brought, before directing the release or discharge of any such person, shall be satisfied that such person or his surety has a fixed place of abode or regular occupation in the county or place for which the justice, police magistrate or court acts, or in which such person is likely to live during the period named for the observance of the conditions. Place of abode of person charged to be in jurisdiction.
- (3) If any justice, police magistrate or court having power to deal with such person in respect of the charge against him, or if any justice, police magistrate or court is satisfied by information on oath that such person has failed to observe any of the conditions of his recognizance, or has failed to observe and perform any direction or condition made in reference to probation or otherwise, a new information may be issued against such person for the original offence charged, and in addition an information may also be issued against such person for a breach of any of the directions and conditions so imposed. Failure to carry out conditions.

Penalty.

- (4) Upon conviction of a breach of any of the directions and conditions so made, such person may in addition to any penalty that may be imposed for the original offence, incur a penalty not exceeding \$50 recoverable under *The Summary Convictions Act*.

Rev. Stat.,  
c. 121.

When con-  
currence of  
Crown  
attorney  
required.

- (5) Where the justice, police magistrate or court finds that there has been a previous conviction against the person charged, the justice, police magistrate or court may exercise the powers conferred by subsection 1, subject to the approval and concurrence of the Crown attorney.

Commence-  
ment of Act

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 89.

## An Act respecting the Village of Acton.

*Assented to 28th March, 1929.*

**W**HEREAS the municipal corporation of the village of <sup>Preamble.</sup> Acton has by its petition represented that by-law number 616 of the said corporation was submitted to the electors of the said village duly qualified to vote thereon, in accordance with the provisions of *The Municipal Act*, on the 7th day of May, A.D. 1928; and that of the electors who voted on the said by-law, 221 voted in favour thereof and 93 voted against the said by-law; and that the said by-law was subsequently unanimously passed by the affirmative vote of all the members of the council of the said corporation; and whereas the corporation has by its said petition prayed that an Act may be passed to confirm such by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Village of Acton Act, 1929*. <sup>Short title.</sup>

2. By-law number 616 of the corporation of the village of Acton, which is set forth in schedule "A" hereto, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. <sup>By-law No. 616, confirmed.</sup>

3. The said corporation may erect the rink provided for in the said by-law in Prospect Park or elsewhere in the village of Acton as it may deem meet; and may manage and operate the said rink as its council may direct, either by a committee of the council or by a board of management consisting of three persons, being municipal electors of the said village, appointed and holding office during the pleasure of the said council. <sup>Erection and management of rink.</sup>

4. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## SCHEDULE "A."

## VILLAGE OF ACTON

## BY-LAW No. 616.

A by-law to provide for the borrowing on Debentures the sum of \$15,000.00 for the purpose of defraying the cost of erecting and establishing a combined skating and curling rink within the Municipality of Acton.

Whereas certain citizens and ratepayers of the Village of Acton have petitioned the Council of the said Village to erect a curling and skating rink as above mentioned and to borrow the funds necessary therefor by the issuing of Debentures; and this by-law has been submitted to and assented to by the ratepayers entitled to vote on money by-laws by a majority of 128 votes on the 7th day of May, 1928.

And whereas the said Council deem it advisable to establish the said rink and borrow the said money by issue of debentures which it will be necessary to issue to the extent of \$15,000.00.

And whereas it is therefore expedient to pass this by-law and to borrow the sum of \$15,000.00 on the debentures of the said municipality for the purpose of erecting and establishing the said skating and curling rink.

And whereas it will be necessary to borrow the said sum of \$15,000.00 and to issue debentures of the Village of Acton therefor bearing interest at the rate of Five per cent. (5%) per annum which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the debt repayable in yearly sums during the period of 20 years, in such amounts respectively, that the aggregate amount payable for principal and interest, in any year, shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise the annual sum of \$1,203.64 during the period of 20 years to pay the said principal money and interest as they become due.

And whereas the amount of the whole rateable property of the Village of Acton according to the last revised assessment roll thereof is \$818,021.68.

And whereas the amount of the existing Debenture debt of the said Village of Acton is the sum of \$198,503.34 and no part of principal or interest thereof is in arrears. Therefore the Municipal Council of the Village of Acton enacts as follows:—

(1) The said sum of \$15,000.00 shall be used and expended for the purpose of erecting and establishing the skating and curling rink aforesaid in the Municipality of Acton according to plans and specifications to be approved by the Municipal Council and for the said purpose the sum of \$15,000.00 shall be borrowed and debentures of the said Village of Acton shall be issued therefor in sums not less than \$100.00 each bearing interest at the rate of 5% per annum payable yearly and having interest coupons attached thereto. Each of the said Debentures shall be issued within two years from the day on which this by-law is passed and shall be dated on the day of issue thereof and shall be payable in Twenty annual instalments of the respective sums set forth in schedule "A" hereto attached, at the office of the Treasurer of the Village of Acton.

(2) The said Debentures and coupons shall be signed by the Reeve of the said Village and the Treasurer thereof and the said debentures shall be sealed with the Corporate Seal of the Municipality. The signatures of the Reeve and Treasurer may be lithographed or printed upon the said Coupons.

(3) During twenty years the currency of the said debentures there shall be raised annually by special rates on all rateable property in the Village of Acton the sum of \$1,203.64 for the purpose of paying the amount due, in each of the said years for principal and interest in respect to the said debt as shown in schedule "A" hereto attached.

(4) In the event of the cost of the said rink being less than \$15,000.00, debentures for the amount of said cost shall be issued in proportionate amounts as hereinbefore set out and the annual rate to be raised shall be reduced accordingly.

(5) This by-law shall take effect and come into operation the day of the final passing thereof.

Passed in triplicate in open Council this Fifth day of June, A.D. 1928.

"A. MASON," *Reeve.*

"H. N. FARMER," *Clerk.*

*Corporate  
Seal.*

*Schedule "A"*

	Interest	Principal	Total
1.....	\$750 00	\$453 64	\$1,203 64
2.....	727 32	476 32	1,203 64
3.....	703 50	500 14	1,203 64
4.....	678 50	525 14	1,203 64
5.....	652 24	551 40	1,203 64
6.....	624 67	578 97	1,203 64
7.....	595 72	607 92	1,203 64
8.....	565 32	638 32	1,203 64
9.....	533 41	670 23	1,203 64
10.....	499 90	703 74	1,203 64
11.....	464 71	738 93	1,203 64
12.....	427 76	775 88	1,203 64
13.....	388 97	814 67	1,203 64
14.....	348 24	855 40	1,203 64
15.....	305 47	898 17	1,203 64
16.....	260 56	943 08	1,203 64
17.....	213 40	990 24	1,203 64
18.....	163 89	1,039 75	1,203 64
19.....	111 90	1,091 74	1,203 64
20.....	57 32	1,146 32	1,203 64
	<hr/>	<hr/>	<hr/>
	\$9,072 80	\$15,000 00	\$24,072 80



## CHAPTER 90.

## An Act respecting the Township of Anderdon.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the township of Anderdon has by its petition represented that by-law number 823, being a by-law to fix the assessment of the Detroit River Canadian Bridge Company, has been submitted to the electors of the corporation duly qualified to vote thereon for their assent in accordance with the terms of *The Municipal Act*; and that of the electors who voted on the said by-law number 823, 230 voted in favour thereof and 64 voted against the said by-law; and that the said by-law was subsequently passed by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas the corporation has by its petition prayed that the said by-law should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of Anderdon Act, 1929*.

By-law  
No. 823.

**2.** By-law number 823 of the corporation of the township of Anderdon which is set forth in schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon the Detroit River Canadian Bridge Company.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

## BY-LAW NUMBER 823.

A By-law of the Council of the Corporation of the Township of Anderdon to fix the assessment of the Detroit River Canadian Bridge Company for the period of Ten (10) years.

Provisionally adopted, November 3rd, 1928. Finally passed, January 24th, 1929.

Whereas the Detroit River Canadian Bridge Company was incorporated by Special Act of the Parliament of the Dominion of Canada to construct and operate an international bridge from a point in the Township of Anderdon to Grosse Ile in the County of Wayne and State of Michigan, one of the United States of America;

And whereas the Company has requested the Council of the Township of Anderdon to pass a By-law to fix the assessment for a period of ten years of the bridge, lands and structures of the said Company which it may now own or may hereafter own, lease or occupy in connection with its business as aforesaid;

And whereas in order to promote the construction of the said bridge which it is deemed will be of benefit when constructed to the said Township and to the County of Essex at large, it is expedient to grant the request of the said Company,

Now therefore the Corporation of the Township of Anderdon by its Council enacts as follows:

1. The assessment of the International Bridge, lands, buildings, structures, sub-structures, machinery and fixtures of the said Company which it may now own or which it may hereafter own, lease or occupy in connection with its business as aforesaid, and all additions thereto shall be and the same is hereby fixed for the period of five years from the date that this By-law becomes valid and binding upon the Corporation inclusive of its business assessment at the sum of Thirty Thousand dollars (\$30,000.00), and for a further period of five years at the sum of One Hundred Thousand Dollars (\$100,000.00) provided, however, that the lands owned or to be owned do not exceed in extent the amount of Fifty (50) acres, and if the Company should own, lease or occupy lands in the Township of Anderdon exceeding such amount an additional assessment may be made not to exceed One Hundred and Fifty Dollars (\$150.00) per acre but only so much of the lands shall be included in the fixed assessment as is in actual use in connection with the business of owning and operating said International bridge.

2. Such fixed assessment is made upon the terms and conditions following, that is to say:

(a) The Company shall commence the construction of said International bridge on or before the first day of July, 1929, and shall complete the construction of the same on or before the first day of July, 1931, subject, however, that such construction may not be interrupted by strikes, acts of violence or by unavoidable causes or from causes which the Company would be reasonably unable to foresee or provide against, when a reasonable time shall be allowed for completion beyond the time by this By-law fixed.

(b) From and after its completion the Company shall continuously carry on its operations during the term of the fixed assessment.

(c) Upon the Company failing to observe the foregoing conditions the benefits and privileges hereby granted shall cease and from the time of such failure on the Company's part it shall be liable for all taxes as if this By-law had not been passed and the taxes for the year in which such failure shall occur shall be apportioned from the date of such failure.

3. The votes of the electors qualified to vote on money By-laws shall be taken on this By-law by ballot at the following time and places, that it to say, on the seventh day of January, 1929, from the hour of nine o'clock in the forenoon until five o'clock in the afternoon of the same day, and polling subdivision No. 1 shall be at the Township Hall on the Third Concession; and polling subdivision No. 2 shall be at the schoolhouse, Public School Section Number 4 on the South sideroad; and polling subdivision No. 3 shall be at the schoolhouse, Public School Section Number Two (2) and Five (5), Concession Three; and polling subdivision No. 4 shall be at the residence of Gilbert Jendoin, Lot Eleven (11), Concession Seven (7).

4. That on the eighth day of January, 1929, at the Council Chamber in the said Township of Anderdon at the hour of ten o'clock in the forenoon the Reeve of the Township shall appoint in writing signed by himself, two persons to attend at the final summing up of the votes as aforesaid by the Clerk of the Council and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting its passing and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

5. That on the eighth day of January, 1929, the Clerk of the Council shall at the Council Chamber in the said Township of Anderdon at the hour of ten o'clock in the forenoon sum up the number of votes for and against this By-law in the presence of persons appointed to attend thereat and in the presence of such of them or any persons entitled by law to be present.

6. That forthwith after the final passing of this By-law, a Petition will be presented by the Council on behalf of the Corporation of the Township of Anderdon for the passing of an Act to confirm this By-law and to make it legal, valid and binding upon the Municipality.

(*Seal of the Corporation*)

"F. J. ROCHELEAU," *Reeve*.

"A. C. MAILLOUX," *Clerk*.

## CHAPTER 91.

## An Act respecting the City of Brantford.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Brantford has Preamble.  
by petition represented that it is desirable that the Board of Education of the said city of Brantford shall consist of eleven members, ten of whom shall be elected by the electors of the said city of Brantford, two being elected from each ward thereof, and one member appointed by the Separate School Board of the said city; and has further represented that it is desirable that all sales of land made by the Treasurer thereof in the year 1927 purporting to be made for arrears of taxes due in respect of the lands so sold be validated and confirmed, and that all conveyances of lands so sold executed by the Mayor, Treasurer and Clerk of the said city purporting to convey the said lands to the purchaser thereof or his assigns, or to the corporation of the said city, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs and assigns, or in the corporation of the said city, its successors and assigns, in fee simple and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof and their assigns, and of all mortgages, charges, liens and encumbrances thereon except taxes accruing after those for non-payment of which the said lands were sold; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. From and after the first day of January, 1930, the Board of Education of the city of Brantford shall be composed Constitution of Board of Education. of eleven members, ten of whom shall be elected as herein-after provided and one shall be appointed by the Separate School Board of the city.

2. The members to be elected shall be elected by the persons Manner of election. qualified to vote for public school trustees, and two of such

members

members shall be elected from each ward of the said city of Brantford, and the election shall be held at the same time and place, by the same deputy returning officers, and in the same manner as the election of aldermen for the said city of Brantford, and, save as otherwise provided herein and in *The Boards of Education Act*, all the provisions of *The Public Schools Act* respecting the qualification of trustees and the election of trustees by ballot shall apply to the election.

Rev. Stat.,  
cc. 327, 323.

First  
election.

**3.** The first election shall take place at the time of holding the municipal elections for the city of Brantford for the year 1930.

Election  
of full  
number  
at first.

**4.** At the first election the full number of elective members shall be elected.

Term of  
office.

**5.** The member so elected from each ward of the said city who receives the highest number of votes shall continue in office for two years thereafter and until his successor is elected and the new board is organized, and the remaining member from each ward of the city shall continue in office for one year and until his successor is elected and the new board is organized.

Application  
of Rev. Stat.,  
c. 327.

**6.** Save and except where the same is inconsistent with the provisions of this Act, *The Boards of Education Act* shall be in full force and effect and shall govern the Board of Education of the said city of Brantford.

Tax sales  
and deeds  
confirmed.

**7.** All sales of land within the municipality of the city of Brantford made by the Treasurer thereof in the year 1927 purporting to be made for arrears of taxes due in respect of the lands so sold are validated and confirmed, and all conveyances of lands so sold executed by the Mayor, Treasurer and Clerk of the said city purporting to convey the said lands to the purchaser thereof or his assigns, or to the corporation of the said city, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs and assigns, or in the corporation of the said city, its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof and their assigns, and of all mortgages, charges, liens and encumbrances thereon except taxes accruing after those for non-payment of which the said lands were sold; provided that nothing in this section contained shall affect or prejudice the right or rights of any person under any litigation which has been commenced prior to the date upon which this section comes into force.

8. The provisions of this Act, other than section 7, shall come into force on the day upon which it receives the Royal Assent, and section 7 hereof shall come into force on July 2nd, 1929.

Commence-  
ment of  
Act.

## CHAPTER 92.

## An Act respecting the Town of Capreol.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the town of Capreol has by its petition represented that it is desirable that the by-law set out in schedule "A" hereto, and the debentures issued and to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Capreol Act, 1929*.

By-law  
No. 159,  
confirmed.

**2.** By-law number 159 of the town of Capreol set out in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

## BY-LAW No. 159

A By-law to provide for borrowing \$18,000.00 upon debentures for the purpose of paying for the construction and equipment of a municipal building to be used as a fire hall and for other municipal purposes in the Town of Capreol;

Whereas the fire hall in the Town of Capreol was recently burned down;

And whereas it is deemed necessary to construct and equip a new municipal building to be used as a fire hall and for other municipal purposes at a cost of \$25,000.00;

And whereas for the purpose aforesaid it will be necessary to issue debentures of the Town of Capreol for the sum of \$18,000.00 (being the \$25,000.00 aforesaid less \$7,000.00 realized from the insurance on the old fire hall) bearing interest at the rate of  $5\frac{1}{2}$  per cent. per annum as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient that the said sum of \$18,000.00 be repaid by annual instalments during a period of twenty years from the date on which this By-law takes effect, such instalments being of such amounts that the aggregate amount payable for principal and interest in any year during said period shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period;

And whereas the annual sum to be raised in each year during said period of twenty years, in order to discharge in manner aforesaid the several payments of principal and interest accruing due on said debt as said instalments become respectively payable, is the sum of \$1,506.23;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll, is the sum of \$917,123.00;

And whereas the existing debenture debt of the Municipality is the sum of \$122,556.12, of which no part of the principal or interest is in arrear;

Therefore the Municipal Council of the Corporation of the Town of Capreol, enacts as follows:—

1. The sum of \$18,000.00 shall be expended by the Town of Capreol for the purpose of paying for the construction of the aforesaid municipal building and equipment, and it shall be lawful for the Mayor of the Town of Capreol to borrow from any person or persons, body or bodies corporate, the said sum of \$18,000.00 for the purpose aforesaid, and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of  $5\frac{1}{2}$  per cent. per annum and having coupons attached thereto for payment of interest.

2. The debentures shall all bear the same date and shall be issued within two years from the day on which this By-law is passed, and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest in each of such years shall be as follows:—



	Interest	Principal	Total
1.....	\$990 00	\$516 23	\$1,506 23
2.....	961 61	544 62	1,506 23
3.....	931 66	574 57	1,506 23
4.....	900 05	606 18	1,506 23
5.....	866 70	639 53	1,506 23
6.....	831 54	674 69	1,506 23
7.....	794 43	711 80	1,506 23
8.....	755 28	750 95	1,506 23
9.....	713 98	792 25	1,506 23
10.....	670 41	835 82	1,506 23
11.....	624 44	881 79	1,506 23
12.....	575 94	930 29	1,506 23
13.....	524 77	981 46	1,506 23
14.....	470 79	1,035 44	1,506 23
15.....	413 84	1,092 39	1,506 23
16.....	353 76	1,152 47	1,506 23
17.....	290 38	1,215 85	1,506 23
18.....	223 51	1,282 72	1,506 23
19.....	152 96	1,353 27	1,506 23
20.....	78 53	1,427 70	1,506 23

3. The Mayor shall sign and issue the debentures and interest coupons, and the same shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation and shall be payable at the Canadian Bank of Commerce in the Town of Capreol, or in the City of Toronto.

4. For the purpose of paying said debentures as they respectively become due, and interest thereon during the currency thereof, the sum of \$1,506.23 shall be annually raised and levied in the same manner and at the same time as other taxes are levied, by a special rate over and above all other rates upon all rateable property in the Town of Capreol, for a period of twenty years.

5. This By-law shall take effect on the day of the passing thereof.

Done and passed in open Council this 8th day of February, A.D. 1929.

(Sgd.) A. BRUNDAGE, *Clerk*.

(Sgd.) P. H. KILGOUR, *Mayor (Acting)*.

## CHAPTER 93.

## An Act respecting the Town of Cobourg.

*Assented to 28th March, 1929.*

**W**HEREAS the municipal corporation of the town of Cobourg has petitioned for confirmation of the town's title to the Harbour property and sanction of the sale of part thereof to His Majesty King George V (represented by the Honourable the Minister of Public Works for the Dominion of Canada); and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Cobourg Harbour Act, 1929.* Short title.

2. The Cobourg Harbour property comprising all those parts of Blocks "A" and "B" in Subdivision XI in Lot 17, Concession B of the township of Hamilton, now part of the town of Cobourg, lying between Division and Third Streets, including said streets and the land and land covered with water forming parts of the original Township Lot 17 in Concession "B" aforesaid and the water lot in front thereof as were vested in the said municipal corporation under and by virtue of the Statute, 13-14 Victoria, Chapter 83 (A.D. 1850), Province of Canada, *An Act to vest the Harbour at Cobourg in the Municipality of that Town*, confirmed by Statute, 22 Victoria, Chapter 15 (A.D. 1858), be and the same is hereby vested in the said municipal corporation and the conveyance to His Majesty King George V (represented by the Honourable the Minister of Public Works for the Dominion of Canada), of that part thereof forming the northerly boundary of the Harbour thirty-five feet in width and 786 feet in length between Division and Third Streets aforesaid is hereby sanctioned. Confirmation of Town's title to harbour and sanction of sale of part thereof to His Majesty The King.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 94.

## An Act respecting the Town of Cornwall.

*Assented to 28th March, 1929.*

Preamble.

Rev. Stat.,  
c. 316.

Rev. Stat.,  
c. 241.

**W**HEREAS the municipal corporation of the town of Cornwall has by its petition represented that a natural water course known as the Fly Creek runs through the town of Cornwall from lot number 5 south of Ninth Street to lot number 27 south of Fourth Street and thence to the River St. Lawrence, and the said creek drains a considerable area in the adjoining township of Cornwall north of Ninth Street; that attempts to improve the efficiency of the said creek were made from time to time under the provisions of *The Ditches and Watercourses Act* but these schemes were not effective, stagnant water was lying in the creek and it became unsightly and unsanitary and a menace to the health of the citizens of the town; that W. H. Magwood, Esq., civil engineer, was instructed by the council of the town of Cornwall under the provisions of subsection 2 of section 78 of *The Municipal Drainage Act* to make a report to the council and his report provided for the construction of a trunk sewer along the general line of Fly Creek between Ninth Street and the Government Sewer north of the Cornwall Canal adjoining the River St. Lawrence; that by-law number 15 of the town of Cornwall for the year 1925 was provisionally adopted on the 22nd day of May, 1925, providing for the construction of the said drainage work and to borrow \$80,095.03, the proportion to be contributed by this municipality for completing the same; that all the parties interested and assessed under the said report, including the township of Cornwall, were served with a copy of the by-law as provisionally adopted; that a court of revision was held thereon and the said by-law was finally passed on the 14th day of August, 1925; that thereupon a contract was entered into for the construction of the said work and the same has been completed; that no motion has ever been made attacking the said by-law; that debentures have not yet been issued to provide for the cost of the said work; that it is in the interests of the town of Cornwall and the ratepayers thereof that a special Act should be passed validating the said by-law and the debentures to be issued thereunder and extending the time for the issue of the said debentures; and that it is desirable that the said

by-law

by-law and the debentures to be issued thereunder shall be validated and confirmed and that the time for the issue of the said debentures shall be extended; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Cornwall Act, 1929*, Short title.

2. By-law number 15 of the town of Cornwall for the year 1925 intituled "A by-law to provide for drainage work in the town of Cornwall, in the county of Stormont, and for borrowing on the credit of the municipality the sum of \$80,095.03, the proportion to be contributed by said municipality for completing the same," and all debentures issued or to be issued thereunder are hereby confirmed and validated and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

3. The time for the issue of the said debentures is hereby extended and the said debentures may be issued any time within six months after this Act comes into force.

By-law 15 confirmed.  
Extension of time for issue of debentures.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 95.

An Act respecting the Township of Cornwall and  
the Ottawa and New York Railway Company and  
the New York Central Railroad Company.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the township of Cornwall by petition has prayed that an Act may be passed, confirming a certain by-law being by-law number 1150 of the said township of Cornwall for the year A.D. 1928 and a certain agreement made between the corporation of the township of Cornwall and the Ottawa and New York Railway Company and The New York Central Railroad Company which are fully set out in schedules "A" and "B" respectively to this Act; and whereas the said by-law was unanimously passed by the municipal corporation of the township of Cornwall and the said agreement was entered into upon terms and conditions which the said township of Cornwall considers favourable; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

By-law  
No. 1150  
confirmed.

**1.** By-law number 1150 of the municipal corporation of the township of Cornwall for the year A.D. 1928 together with the agreement therein referred to, the said by-law and agreement being respectively set forth in full in schedules "A" and "B" to this Act, are hereby confirmed and declared legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

Rev. Stat.  
c. 238.

## SCHEDULE "A"

## TOWNSHIP OF CORNWALL

## BY-LAW NUMBER 1150, 1928

Whereas the Ottawa and New York Railway Company and The New York Central Railroad Company is the owner of that portion of an International Railway Bridge, the portion of which north of the International Boundary between the Dominion of Canada and the United States of America lies within the Township of Cornwall;

And whereas differences have heretofore existed between "the Corporation" of the Township of Cornwall and the Ottawa and New York Railway Company and The New York Central Railroad Company with reference to the rights of "the Corporation" of the Township of Cornwall to assess and tax the portions of the said bridge situate within the Township of Cornwall and to impose upon the Ottawa and New York Railway Company and The New York Central Railroad Company the taxes with respect thereto;

And whereas such differences existed both in respect of the legal rights of "the Corporation" of the Township of Cornwall to assess and tax the said portions of the said bridge and in respect of the amount at which such property if assessable should be assessed;

And whereas such differences were mutually adjusted by the said Corporation and the said Ottawa and New York Railway Company by an Agreement made and entered into and bearing date the 7th day of April, 1919, which said agreement was confirmed by By-law Number 981 of the Township of Cornwall for the year 1919, passed, signed and sealed in open Council on the 5th day of May, 1919, which said By-law was confirmed by an Act of the Legislature of Ontario, assented to on the 4th day of June, 1920, being Chapter 116, 10-11, George V, 1920.

And whereas such agreement mentioned in last preceding paragraph expires on the 31st day of December, 1928;

And whereas it has been agreed between "the Corporation" and "the Company" for the purpose of settling such differences for a further period of ten years, the said portions of the bridge and other property hereinafter described, may be assessed at the fixed sum of one hundred and fifty thousand dollars (\$150,000.00);

Therefore, the Council of "the Corporation" of the Township of Cornwall hereby enacts as follows:—

1. For a further period of ten years from the thirty-first day of December, one thousand nine hundred and twenty-eight and from thence ensuing and including the year one thousand nine hundred and twenty-nine, up to and including the year one thousand nine hundred and thirty-eight, the said bridge including the right-of-way and all bridge and road construction between the international boundary on the south and the northerly line of the Cornwall Canal Reserve, where said Canal crosses lot number fourteen in the first concession of the said Township of Cornwall shall be annually assessed (including business and all other assessments made by "the Corporation") at the sum of one hundred and fifty thousand dollars (\$150,000.00) in each and every year of the said period of ten years.

2. During the said period of ten years all municipal rates, taxes, levies and assessments made or levied against the said "Company" with respect to the said described property or any portion thereof shall be made and levied upon the said fixed assessment of one hundred and fifty thousand dollars (\$150,000.00).

3. The legal rights of "the Corporation" and "the Company" shall not be affected by anything herein contained but at the close of the said period of ten years shall again be in all respects as they were prior to the execution of this present agreement.

4. "The Corporation" shall petition the Legislature of Ontario for an Act to validate this Agreement such Legislation to be obtained at the expense of "the Company" as to Government fees.

The Reeve and the Township Clerk are hereby authorized to enter into an agreement with the Ottawa and New York Railway Company and The New York Central Railroad Company embodying the terms of this By-law and to affix the seal of "the Corporation" of the Township of Cornwall thereto.

Passed, signed and sealed in open Council this 7th day of August, 1928.

(*Township Seal*)

V. McDONALD, *Reeve*.

J. W. McLEOD, *Township Clerk*.

### SCHEDULE "B."

In the matter of the assessment of The Ottawa and New York Railway Company and The New York Central Railroad Company's International Bridge, in the Township of Cornwall.

Agreement made this 7th day of August, A.D. 1928.

Between

THE CORPORATION OF THE TOWNSHIP OF CORNWALL  
(hereinafter called "the Corporation"),

of the first part,

—and—

THE OTTAWA AND NEW YORK RAILWAY COMPANY,

—and—

THE NEW YORK CENTRAL RAILROAD COMPANY  
(hereinafter called "the Company"),

of the second part.

Whereas "the Company" is the owner of that portion of an International Railway Bridge which is north of the International boundary between the Dominion of Canada and the United States of America, which portion of said Railway Bridge lies within the Township of Cornwall, in the County of Stormont and Province of Ontario;

And whereas differences have heretofore existed between "the Corporation" and "the Company" with reference to the rights of "the Corporation" to assess and tax the portions of said Bridge, situate within the Township of Cornwall and to impose upon "the Company" taxes with respect thereto;

And whereas such differences existed both in respect of the legal rights of "the Corporation" to assess and tax the said portions of the said Bridge and in respect of the amount at which such property if assessable should be assessed;

And whereas said differences were mutually adjusted by the said Corporation and the said Company by an agreement made and entered into and bearing date the 7th day of April, A.D. 1919, which said agreement was confirmed by By-law Number 981 of the Township of Cornwall for the year 1919, passed, signed and sealed in open Council on the 5th day of May, 1919, which said By-law was confirmed by an Act of the Legislature of the Province of Ontario, assented to on the 4th day of June, 1920, being chapter 116, 10-11 George V, 1920;

And whereas said agreement mentioned in last preceding paragraph expires on the 31st day of December, 1928;

And whereas it has been agreed between "the Corporation" and "the Company" that for the purposes of further settling such differences for a further period of ten years, the said portions of the said Bridge and other property hereinafter described may be assessed at the fixed sum of one hundred and fifty thousand dollars (\$150,000.00);

Now





## CHAPTER 96.

## An Act respecting the Township of East York.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the township of East York has by its petition prayed for special legislation in regard to the matters hereinafter set forth: and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of East York Act, 1929.*

By-law  
No. 1508,  
confirmed,  
1927, c. 138.

**2.**—(1) Notwithstanding anything contained in section 6 of an Act passed in 1927, chaptered 138, intituled *An Act respecting the East York-Leaside Viaduct*, by-law number 1508 of the municipal corporation of the township of East York passed on the 28th day of January, 1929, amending by-law number 1000 of the said corporation, so as to provide for the excess cost of the work therein mentioned, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Subsection  
1, made  
retroactive.

(2) The provisions of subsection 1 shall be deemed to have been in force on and after the 5th day of April, 1927, and all proceedings taken pursuant to the said by-law number 1000 shall be deemed to have been taken under such by-law as amended by by-law number 1508.

Agreement  
between  
township  
and Town of  
Leaside and  
Toronto  
Transporta-  
tion Com-  
mission,  
confirmed.

**3.**—(1) Subject to the provisions of subsection 2, the agreement made between the corporation of the township of East York, the corporation of the town of Leaside and the Toronto Transportation Commission, dated the 5th day of April, 1928, and set out as schedule "A" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporations and the ratepayers thereof and upon the said commission, and the said corporations and the said commission may respectively pass such by-laws, pay any monies and do all such acts, matters and things as may by them be deemed necessary for the full and proper carrying out of the provisions of the said agreement.

(2) Notwithstanding anything contained in the said agreement the township of East York shall only be liable to pay operating deficits accruing before the 31st day of December, 1929, and after that day the fares to be charged shall be fixed by the commission, in the case of the township, in conformity with the provisions of subsection 7 of section 4 of the A t passed in 1922 and chaptered 139.

4.—(1) The council of the corporation of the township of East York may pass a by-law providing that the election of public school trustees for each public school section in the township of East York shall be held by ballot on the same day as the municipal councillors are elected. Election of public school trustees.

(2) After such by-law has been passed subsections 3 to 10 of this section shall apply and such election shall thereafter be held at the same time and place and by the same returning officer or officers and conducted in the same manner as the municipal nominations and elections of councillors, and the provisions of *The Municipal Act*, respecting the manner of holding elections, including the mode of receiving nominations for office and the resignation of persons nominated, and vacancies shall *mutatis mutandis* apply to the elections. Procedure at elections of public school trustees. Rev. Stat., c. 233.

(3) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the polling subdivisions in each public school section containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter. Ballot papers.

(4) The voters' list to be used shall be that as finally revised by the county judge for use at the municipal election and shall contain a separate column showing opposite each elector's name the school section in respect of which he is entitled to vote in the election of trustees. The county judge in revising the voters' list shall be entitled to correct any error which may appear in respect of the school section in which the elector is entitled to vote. In any polling subdivision which contains electors in two or more school sections the deputy returning officer shall be supplied with a sufficient number of ballots containing the names of candidates in each of said school sections and each elector shall be entitled only to a ballot containing the names of the candidates for trustee in the school section marked opposite the elector's name. Voters' lists.

(5) A meeting of the electors of every public school section for the nomination of candidates for the office of trustee Nomination meeting.

shall

shall be held annually on the same day on which the meeting for the nomination of candidates for councillors is held, at the hour of 8 o'clock in the evening at such place as the board of trustees shall by resolution determine or in the absence of such resolution at the school house of the section. The secretary or secretary-treasurer (or if such office is vacant such person as may be appointed by resolution of the board of trustees) shall be the returning officer to hold the nominations for each school section. The said returning officers shall forthwith after the nominations make the returns thereof for their respective sections to the township clerk or such person as may be the returning officer for the whole municipality.

Annual  
meeting.

Rev. Stat.,  
c. 323.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act*, for the purpose of transacting the business as therein provided (except the election of trustees) shall be held at the same time and place as the meeting for the nomination of candidates instead of on the last Wednesday in December.

Union  
school  
sections.

(7) In the case of union school sections which contain part of an adjoining township, such part of the adjoining township shall be considered for the purpose of the election of school trustees as part of the township of East York. The clerk of the adjoining township shall furnish to the clerk of the township of East York a certified copy of so much of the revised voters' list of the said adjoining township as contains the names of electors qualified to vote in that portion of the union school section lying within the said adjoining township and such persons shall be entitled to vote in the election of trustees for such union school section.

First  
meeting of  
Board.

(8) The first meeting of each board of public school trustees shall be held on the second Wednesday in January of the year for which the trustees are elected, at the hour of 8 o'clock in the evening when the board shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer.

Application  
of section  
only where  
school house  
situate  
within  
township.

(9) The provisions of this section shall not apply to or affect any union school section except a union school section in which the school house thereof is situated within the limits of the township of East York.

Application  
of Rev. Stat.,  
c. 323, and  
other Acts.

(10) All the provisions of *The Public Schools Act*, or any other statutes relating to rural school sections shall continue to apply to the said school sections except where inconsistent herewith.

By-law  
to be passed  
not later  
than Novem-  
ber 1st.

(11) Any by-law for the purposes mentioned in this section shall be passed not later in the year than the 1st day of

November

November and shall take effect at and for the purpose of the next and each succeeding annual election.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A"

THIS AGREEMENT made in triplicate the 5th day of April, 1928

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF EAST YORK, hereinafter called the "Township,"

—and—

THE CORPORATION OF THE TOWN OF LEASIDE, hereinafter called the "Town,"

—and—

THE TORONTO TRANSPORTATION COMMISSION, hereinafter called the "Commission."

WHEREAS the Commission is at present operating a bus service in the Township pursuant to the provisions of an agreement between the Township and the Commission dated the 28th day of October 1927, which agreement was made in pursuance of certain statutory powers therein set forth.

AND WHEREAS the Commission is also operating a service within the Town and the City of Toronto, giving service from the said Town to Yonge Street in the City of Toronto pursuant to an agreement with the said Town dated the 6th day of December, 1927.

AND WHEREAS it is considered by all parties hereto advisable to connect and, as far as possible, unify the two bus services hereinbefore referred to.

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto agree as follows:

1. The Commission will, provided the terms hereinafter set out are fulfilled, operate a transportation service on behalf of the Township and the Town for the period hereinafter set forth, provided always that under no circumstances is the Commission or the Corporation of the City of Toronto to be at any cost or expense or to incur any liability by reason of such operation except as hereinafter expressly provided.

2. Transportation services to be furnished by the Commission shall be by motor bus or buses of a modern type capable of maintaining a satisfactory speed and giving adequate service and such transportation service shall be furnished from a point at or near Danforth Avenue in the City of Toronto across the East York Leaside Viaduct to a point at or near Yonge Street in the City of Toronto; such service to be furnished within the Township on Pape Avenue and/or on such other suitable streets within School Section No. 27 of the Township as the Commission may from time to time deem advisable; within the Town on Liard Drive and McRae Drive or alternatively, Millwood Road and within the City of Toronto on Merton Street, Millwood Road or on such other suitable streets within any of such municipalities as the Commission may from time to time deem advisable.

3. The Commission will, if the road surfaces along the whole route within the three municipalities above named are, in its judgment, suitable for such operation, give a completely unified service without transfer. Should, however, such road surfaces, in its judgment, be unsuitable for such through service, the Commission reserves the right to split such service and transfer passengers from one bus to a bus more suitable for such inferior roads.

4. The Commission shall have the sole management of the transportation service to be furnished hereunder and shall arrange for the busses, crews and equipment necessary, hours of service, running time, stops and everything else necessary or incidental to the management of the said transportation service. The fares to be charged shall be fixed from time to time by the Commission and, in the case of the Township, as far as possible so as to carry into effect the provisions of the Statute 12-13 George V, Chapter 139, Section 4, sub-section 7.

5. The Township and Town respectively agree to place in good condition and so to maintain the road surface on any streets or highways within their municipal limits on which the buses in question are to be operated and will also provide reasonably adequate lighting for such streets and highways. Should the road surfaces upon any of the streets and highways upon which the buses in question are to be operated, whether within the municipal limits of the Town or Township or the City of Toronto, become, in the judgment of the Commission, wholly unsuitable for bus operation, the Commission shall have the right to suspend operation on such unsuitable portions of the highways until such time as the said highways are put into suitable shape for such operation. In case of any such suspension of operation as aforesaid, neither the Town or the Township shall have any claim against the Commission in respect of such suspension, and this agreement and the rights of the parties hereunder shall be unaffected by such suspension as aforesaid.

6. The Commission will, as far as it may be in its power, clean the snow from and sand in an adequate manner, the roads on which the buses in question are to be operated, including such operation of such routes as may be within the City of Toronto. Provided, however, that the Commission will incur no liability to either the Township or the Town by reason of any default in keeping the said routes cleaned of snow and sanded as aforesaid, and provided further that any expenses incurred by the Commission hereunder shall be the only charges to be made against the transportation facilities herein provided for in respect of the provision or maintenance of road surfaces.

7. The Commission will endeavour at all times during the term hereof to maintain an adequate service hereunder but will incur no liability to the Township or Town for failure to give a service as herein agreed whether such failure be by reason of weather conditions, strike, fire, riot, act of God or otherwise.

8. The Township and the Town respectively agree that during the terms of this agreement they will take all means within their power to ensure to the Commission the exclusive right of furnishing, in any manner whatsoever, local transportation within the limits of the municipalities, where such transportation competes with the transportation services operated from time to time hereunder, and that in particular they will pass and enforce such by-laws as they may legally pass to prevent the operation of buses or jitneys within such limits except as herein provided for.

9. All claims or actions for alleged negligence in the operation of such buses shall be made or brought against the Commission and dealt with by it and the Commission shall have, through its Solicitor, the conduct and control of all such claims and actions and of any action brought against the Township or the Town in respect of any such alleged negligence and may defend or compromise the same as it deems expedient.

10. The Township and the Town agree that the Commission shall apportion receipts and expenditures of the said bus services to be operated hereunder as between the Town and the Township, as to the Commission

from time to time may appear equitable and both the said parties hereby agree that the judgment of the Commission as to such apportionment shall be final and absolute and binding upon both of the said parties.

11. The Commission shall furnish the Town and the Township from month to month, a statement of the receipts and expenditures in connection with such operation and the provision of facilities therefor, and in case of a surplus, will forward to the Town and the Township with such statement the amount of such surplus apportioned between the Town and the Township as it thinks proper; in case of a deficit, the amount of such deficit, as apportioned between the Town and the Township shall be forwarded by the said Town and Township to the Commission within ten days of receipt of such statement as aforesaid. Should the Township and/or the Town make default in providing the Commission with the amount of such deficit in the time above limited, this agreement may, as to such municipality in default, at the option of the Commission, be cancelled and the Commission may recover from the municipality in default the amount of such deficit as apportioned and any other costs, charges and expenses it may have been put to by reason of such default as aforesaid or by reason of the making of this agreement.

12. The system of accounting for the costs of providing facilities and of operation of the buses as aforesaid shall be the classification of accounts for bus operation adopted in October 1925 by the American Electric Railway Association, and any future revisions thereof.

13. For all purposes of this agreement the routes to be operated shall be deemed to include any terminal loops whether such loops shall be within or without the municipal limits of the Town or the Township from time to time.

14. Any payments to be made for or in respect of claims or actions for alleged negligence in the operation of such buses shall be made by the Commission and the only amount chargeable by the Commission shall be the same annual cost per car and bus mile as is from time to time incurred by the Commission in the operation of its cars, buses and coaches in and about the City of Toronto in respect of such items (including therein administration and legal expenses).

15. The Commission is to be allowed the sum of seven per cent. of the gross total expenses of operation from month to month to reimburse it for its costs of administration and management in connection with the said operation and such moneys are to be from time to time retained by the Commission for its own use.

16. The respective treasurers of the Town and the Township, or any other qualified person agreed to by the parties hereto, shall at all times during the currency hereof have, on request, access to the books, vouchers, etc., of the Commission dealing with receipts or expenditures in connection with the services provided for hereinunder.

17. This agreement shall continue in force until the bus services provided for by this agreement are superseded in whole or in part by a street railway service.

18. The parties hereto agree that they will use their best endeavours to have this agreement ratified and confirmed at the next ensuing Session of the Legislature of the Province of Ontario.

19. This agreement shall supersede the agreement with the Township dated the 28th day of October 1927, and the agreement with the Town dated the 6th day of December 1927, hereinbefore referred to, but if the parties hereto are unable to secure validation of this agreement as provided for in the next preceding paragraph, this agreement shall, as between the Township and the Commission be deemed to have been entered into pursuant to the statutory powers in that behalf, and the joining of the Town in the said agreement shall not be held to affect the reciprocal rights and obligations of the Commission and the Township hereunder.

IN WITNESS WHEREOF the parties hereto have hereunto set their corporate seals by the hands of their proper officers in that behalf, on the day and year first above written.

[SEAL] THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF  
EAST YORK.

R. M. LESLIE, *Reeve*.  
W. H. HEATON, *Clerk*.

[SEAL] CORPORATION OF THE TOWN OF LEASIDE,  
H. HORSFALL, *Mayor*.

A. T. LAWSON, *Clerk Treasurer*.

[SEAL] THE TORONTO TRANSPORTATION COMMISSION,  
P. W. ELLIS, *Chairman*  
H. A. CAMERON, *Secretary*.



## CHAPTER 97.

## An Act to amend The Consolidated Essex Border Utilities Act.

*Assented to 28th March, 1929.*

**W**HEREAS the Essex Border Utilities Commission has Preamble.  
by its petition represented that owing to the growth of population in certain portions of the townships of Sandwich West and Sandwich East adjacent to the town of Sandwich and the city of Windsor it is desirable to authorize the said commission to include such areas within the jurisdiction of the Local Board of Health; and whereas the township of Sandwich South is a municipal corporation adjoining the Essex Border municipalities and on the submission on or about the 22nd day of October, 1928, to the electors of a question whether a certain area of the said township should come within the jurisdiction of the commission a favorable vote was obtained and a commissioner has been elected but the proceedings relating to the said vote were irregular and it is desirable to confirm the admission of the township of Sandwich South within the jurisdiction of the commission and to define the area admitted; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Consolidated Essex Border Utilities Amendment Act, 1929.* Short title.

2. Subsection 3 of section 3 of *The Consolidated Essex Border Utilities Act* is amended by adding thereto the following clause: 1921, c. 99, s. 3, subs. 3, amended.

- (f) The provisions of this Act except section 24 are hereby declared to apply to the municipal corporation of the township of Sandwich South and the area thereof within the jurisdiction of the said commission in regard to which rates may be imposed and the votes of the electors taken shall be that



set out in schedule "D" hereto, and the said commission may by by-law fix the day when the liability of the said corporation and area for its share of the general expenses of the commission shall begin.

1921, c. 99,  
s. 24,  
amended.

**3.** Section 24 of the said Act is amended by adding thereto the following subsection:

Power to  
bring muni-  
cipality  
under local  
board of  
health of  
Commission.

(11) The Essex Border Utilities Commission may by by-law after receiving the approval by resolution of the council of any of the Essex Border municipalities include the whole or any area of the respective municipality within the jurisdiction of the Local Board of Health for the Essex Border municipalities and thereafter the provisions of this section shall apply thereto.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

#### SCHEDULE "D."

That portion of the Township of Sandwich South, commencing at the junction of the boundaries of the Townships of Sandwich South, West and East; thence easterly along the boundary between the Townships of Sandwich East and South to the centre line of Lot 18 in the Eighth Concession of the Township of Sandwich South; thence southerly along the centre line of the lots in said Concession Eight to the North Talbot Road; thence northwesterly along the North Talbot Road to the line between Lots numbered 301 and 302 north of the Talbot Road; thence southwesterly along the last mentioned line to the line dividing the North and South halves of lots south of Talbot Road; thence northwesterly along last mentioned line to the westerly boundary of the Township; thence northerly along the last mentioned boundary to the point of commencement.

## CHAPTER 98.

An Act to amend and consolidate the Acts  
respecting the Essex Border Utilities  
Commission.

*Assented to 28th March, 1929.*

**W**HEREAS the Essex Border Utilities Commission was Preamble.  
established by an Act passed in the sixth year of the  
reign of His Majesty King George the Fifth, chaptered 98,  
with authority to construct and operate certain works within  
the Essex Border municipalities which Act was amended  
from time to time and the several Acts were consolidated  
by chapter 99 of the Acts passed in the eleventh year of  
the reign of His Majesty King George the Fifth; and whereas  
amendments have been made to the said consolidated Act;  
and whereas the Essex Border Utilities Commission has, by  
its petition represented that it is desirable to again con-  
solidate the said Act, and the several amendments thereto,  
and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Consolidated Essex Border Utilities Act, 1929.* Short title.

**2.** In this Act, except in so far as the provisions of this Inter-  
section would give to any word or words, expression or pretation.  
clause an interpretation inconsistent with the context:—

- (a) "Windsor" shall mean the corporation of the city  
of Windsor;
- (b) "Walkerville" shall mean the corporation of the  
town of Walkerville;
- (c) "Sandwich" shall mean the corporation of the town  
of Sandwich;
- (d) "Ojibway" shall mean the corporation of the town  
of Ojibway;

(e)

- (e) "Ford City" shall mean the corporation of the town of Ford City;
- (f) "Sandwich West" shall mean the corporation of the township of Sandwich West;
- (g) "Sandwich East" shall mean the corporation of the township of Sandwich East, in the county of Essex. 1921, c. 99, s. 2, cls. (a-g.);
- (h) "Essex Border municipalities" shall mean and include the municipal corporations of the city of Windsor, the towns of Walkerville, Sandwich, Ford City, Riverside, LaSalle and Ojibway and those portions of the townships of Sandwich East and Sandwich West defined in Schedules "A" and "C" and such other areas thereof as may be added under the provisions of this Act and any new municipalities hereafter established which include any portion thereof and "Essex Border utilities district" shall mean the area of land from time to time included within the same. 1928, c. 64, s. 2 (1);
- (i) "Councils" shall mean the councils of all the said corporations or of such two or more of the said corporations, as the context shall refer to;
- (j) "Engineer" shall mean an engineer employed by The Essex Border Utilities Commission;
- (k) "Construct" shall include reconstruct wholly or in part from time to time, as may be deemed necessary or expedient;
- (l) "The Commission" shall mean "The Essex Border Utilities Commission" in this Act provided for;
- (m) "Municipal Board" shall mean the Ontario Railway and Municipal Board. 1921, c. 99, s. 2, cls. (i-m);
- (n) "Riverside" shall mean the corporation of the town of Riverside;
- (o) "Tecumseh" shall mean the corporation of the town of Tecumseh. 1922, c. 109, s. 1;
- (p) "LaSalle" shall mean the corporation of the town of LaSalle. 1928, c. 64, s. 2 (2);
- (q) "Electors" shall mean electors qualified to vote on money by-laws under the provisions of section 274

of *The Municipal Act*, except when used in subsection 1 of section 3 of this Act. 1928, c. 64, s. 3;

- (r) "Sewer" shall mean trunk sewer or drain and include a means for carrying surface, storm or waste water as well as sanitary sewage. Nothing herein contained shall interfere with the jurisdiction of the several Essex Border municipalities as to drains and sewers lying wholly within their respective territorial limits. 1928, c. 64, s. 9.

**3.**—(1) For the purposes hereinafter mentioned there shall be a Commission consisting of the head and elected commissioners from each of the following municipalities, that is to say:—

Members of  
Commission.

- (a) The Mayor of Windsor shall be *ex-officio* a member of the Commission, and the electors of Windsor shall every three years elect four persons to be members of the Commission;
- (b) The Mayor of Walkerville shall be *ex-officio* a member of the Commission, and the electors of Walkerville shall every three years elect one person to be a member of the Commission;
- (c) The Mayor of Sandwich shall be *ex-officio* a member of the Commission, and the electors of Sandwich shall every three years elect one person to be a member of the Commission;
- (d) The Mayor of Ford City shall be *ex-officio* a member of the Commission, and the electors of Ford City shall every three years elect one person to be a member of the Commission;
- (e) The Mayor of Ojibway shall be *ex-officio* a member of the Commission, and the electors of Ojibway shall every three years elect one person to be a member of the Commission;
- (f) The Reeve of Sandwich West shall be *ex-officio* a member of the Commission, and the electors of Sandwich West shall every three years elect one person to be a member of the Commission; 1921, c. 99, s. 3 (1), cls. (a-f).
- (g) The Mayor of Riverside shall be *ex-officio* a member of the Commission, and the electors of Riverside shall every three years elect one person to be a member of the Commission. 1921, c. 99, s. 3 (1) cl. (g); 1922, c. 109, s. 3;
- (h) The Mayor of LaSalle shall be *ex-officio* a member of the Commission, and the electors of LaSalle shall

every

every three years elect one person to be a member of the Commission;

- (i) The Reeve of Sandwich East shall be *ex-officio* a member of the Commission and the electors of Sandwich East shall every three years elect one person to be a member of the Commission;
- (j) The elected commissioners shall hold office for a term of three years;
- (k) The council of the corporation of the township of Sandwich East shall appoint one person to be a member of the Commission for the year 1928 and his successor shall be elected at the next annual municipal election. 1928, c. 64, s. 4.

(2) The Commission shall be a body corporate and politic under the name of "The Essex Border Utilities Commission."

Representa-  
tion of new  
municipali-  
ties.

(3) In case any portion of the townships of Sandwich East or West within the Essex Border utilities district shall be included in a new municipality the council of such new municipality shall upon its organization by by-law appoint one person as commissioner for the year in which such municipality is established to hold office for the remainder of that year and until his successor is elected, who with the head of the municipality shall be its members; and the electors of the new municipality shall at the next annual municipal election and every three years thereafter elect one person to be a member of the Commission to hold office for three years. 1921, c. 99, s. 3 (2, 3).

Suspension  
of provisions  
of Act 1924  
constituting  
Tecumseh  
one of the  
Border  
municipali-  
ties.

- (a) The provisions of *The Consolidated Essex Border Utilities Act*, constituting the Town of Tecumseh, one of the Border municipalities, shall not apply to the town of Tecumseh after the first day of January 1922, nor shall the town of Tecumseh be liable for the general expense of the Essex Border Utilities Commission or contribution for special works after said date, nor shall the town thereafter be included in the Essex Border utilities district. 12-13 Geo. V, c. 109, s. 7.

Power of  
Tecumseh  
by by-law to  
bring itself  
under  
provisions of  
Act again.

- (b) The council of the town of Tecumseh may by by-law passed before the first day of November in any year, make all the provisions of *The Consolidated Essex Border Utilities Act, 1929*, apply to the said town or may except therefrom the provisions as to the local board of health, but the said by-laws shall not take effect until the next first of January after the passing thereof, and thereafter the town of Tecumseh shall constitute one of the Essex Border utilities district and be entitled to elect a representative on

the

the Commission as provided in subsection 3 of section 3 of this Act;

- (c) Nothing herein contained shall affect the liability of the corporation of the town of Tecumseh or the lands lying therein, for its share of the obligations of the Commission or of the township of Sandwich East arising before the first day of January, 1922, not affected. 1922, c. 109, s. 7. Liability of Tecumseh for obligations of Commission before Jan<sup>y</sup> 1, 1922, not affected.
- (d) Where at an election a majority of the electors voting in any area forming part of the township of Sandwich East or of Sandwich West, have voted favourably upon a question whether they desire the provisions of *The Consolidated Essex Border Utilities Act, 1929*, to apply to such area, the council of the corporation of the township of Sandwich East or of the township of Sandwich West as the case may be may pass a by-law making the provisions of the said Act applicable to such area and the provisions of the said Act shall thereafter apply to such area as if contained in Schedule "A" or "C" hereto. 1928, c. 64, s. 5 (1). Provision for bringing in parts of Twps. Sandwich E. and W.
- (e) The council of a township adjoining the Essex Border utilities district where the electors of any area thereof have voted in favour of including the area in the Essex Border municipalities may if not already represented appoint a commissioner for the year in which the election takes place and the provisions of this Act shall thereafter apply thereto. 1928, c. 64, s. 5 (2). Appointment of a Commissioner.
- (f) The provisions of this Act except section 24 are hereby declared to apply to the municipal corporation of the township of Sandwich South and the area thereof within the jurisdiction of the said Commission in regard to which rates may be imposed and the votes of the electors taken shall be that set out in schedule "D" hereto, and the said Commission may by by-law fix the day when the liability of the said corporation and area for its share of the general expenses of the Commission shall begin. 1929, c. 97, s. 2. Area of Township of Sandwich South brought under Commission.
- (4) In case the new municipality or municipalities shall include the whole of the area of any municipality now having representation upon the Commission the head of and commissioner from the municipality so ceasing to have any area within the jurisdiction of the Commission shall cease to be members of the Commission at the end of their current terms of office and should any new area of the said township of

Sandwich East or of Sandwich West be included it shall likewise be entitled to representation on the Commission under this section if the township within which it is situate is not already so represented. 1921, c. 99, s. 3 (4); 1924, c. 93, s. 3.

Vacancies.

(5) When a vacancy in the membership of the Commission occurs from any cause the proper council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the calendar year or if the vacancy occurs after the 1st day of November in any year until the end of the next calendar year, but in either case the electors of the municipality shall at the next annual municipal election held to elect officers for the year next after the appointees' term elect a member of the Commission to hold office for three years.

(a) Any elected member of the Commission whose term of office has expired shall be eligible for re-election;

(b) No person while he is a member of a municipal council shall be a member of the said Commission. 1921, c. 99, s. 3 (5); 1924, c. 93, s. 2.

Chairman,  
election of.

(6) (a) The Commission shall annually at a meeting to be held in the month of January, elect one of the members thereof to be chairman of the Commission, who shall hold office for one year and until his successor is elected. The chairman shall preside at all meetings of the Commission at which he is present, and in the absence of the chairman the members present shall elect one of such members to preside and who during such absence shall have and may exercise the powers of the chairman;

Quorum.

(b) A majority of the commissioners shall constitute a quorum;

Seal.

(c) The Commission shall have a common seal and may from time to time alter or change the same;

Officers,  
appointment  
of.

(d) The Commission may appoint a secretary, a chief engineer, and such other officers, superintendents, inspectors, foremen, engineers, accountants, servants and workmen as may be deemed requisite. The salaries or other remuneration of the persons so appointed shall be fixed by the Commission;

Remunera-  
tion.

Contracts,  
when to be  
binding.

(e) Any contract entered into by the Commission and sealed with the seal and signed by the chairman and

secretary

secretary thereof shall be binding upon the Commission;

- (f) The Commission shall keep proper records and books, including books of account, in which shall be recorded and entered the business of the Commission; Books of account and records.
- (g) Section 42 of *The Public Utilities Act* shall apply to the Commission in so far as the same is applicable; Application of Rev. Stat., c. 249.
- (h) The members of the Commission shall serve without salary; Service without salary.
- (i) The commissioner elected or appointed by any municipality may reside in any other of the above mentioned municipalities but otherwise the provisions of parts II, III and IV of *The Municipal Act*, which are applicable to members of the council of a local municipality shall apply *mutatis mutandis* to the members of the Commission; Commissioner may reside in another municipality. Rev. Stat., c. 233.
- (j) All financial officers of the Commission before entering on the duties of their office shall give such security as the Commission directs for the faithful performance of their duties and for duly accounting for and paying over all moneys which come into their hands; Financial officers to give security.
- (k) In the absence of the mayor or reeve of any Essex Border municipality by reason of illness or otherwise the acting mayor or reeve may act on the Commission in his place; Who to act in absence of mayor or reeve.
- (l) The non-attendance of an elected Commissioner for three successive months at the meetings of the Commission of which three days' notice has been given shall *ipso facto* constitute a resignation of the Commissioner and the Commission shall at the next meeting proceed as in the case of vacancy in membership unless good cause for such absence is then shown and the Commission shall by resolution declare the same to be sufficient. 1921, c. 99, s. 3 (7). Non-attendance, effect of.

#### FINANCES.

4. Moneys required for the general purposes of the Commission shall be provided by the Essex Border municipalities in proportion to the number of representatives that each municipality is entitled to have on the Commission. Cost to be paid by municipalities.



Liability of  
new muni-  
cipality for  
debt.

- (a) In case of the inclusion of any of the said municipalities or any parts thereof in new municipalities, the new municipalities shall become liable forthwith for the proper share of debts charged upon the lands included therein and of the expenditures for general purposes, and in case of absorption of the whole area of a municipality within the jurisdiction of the Commission by a new municipality, the municipality whose area has been so absorbed shall cease to be liable for its share of the expenditures of the Commission for general purposes incurred after the date of absorption. 1921, c. 99, s. 4; 1922, c. 109, s. 6.

Applications  
to be made  
for money.

5. The moneys required by the Commission shall be provided and paid over to the Commission from time to time on the application of the Commission. The application may state a total sum required at the time of making such application and the portion thereof required from and payable by each of the said corporations.

- (a) The application shall be in writing and sealed with the seal of the Commission and signed by the chairman and secretary, and may be in the form set forth in Schedule "B" or to the like effect. A duplicate original of such application shall be delivered to the clerk of each corporation. 1921, c. 99, s. 5.

Approval of  
electors  
required.

6. No application for money for construction of any proposed work or undertaking shall be made until after the preliminary report provided for in section 13 has been filed and the approval of the electors of such municipality has been obtained under section 15. 1921, c. 99, s. 6.

Recovery of  
cost by  
Commission.

7. The sum stated in any application to be payable by any of the said corporations shall be a debt due by such corporation to the Commission and may be recovered by the Commission from such corporation by suit in any court of competent jurisdiction.

- (a) The application as made shall be conclusive evidence that the sum mentioned in such application is due and payable to the Commission. 1921, c. 99, s. 7.

What to be  
included in  
cost.

8. All moneys paid over to the Commission for general purposes before the construction of any of the works shall so far as the engineer of the Commission may deem proper be charged as part of the cost of some particular work and upon its completion and the payment of the cost thereof to the Commission shall be repaid by the Commission to the muni-

cipality which advanced the same and any cost or expense not properly chargeable to any particular work shall be borne by the municipalities in proportion to the number of elected representatives that each municipality is entitled to have on the Commission. 1921, c. 99, s. 8.

9. The council of each of the said corporations shall forthwith after application therefor pay the moneys required by the Commission for general purposes out of the current revenue of the corporation. What to be paid out of current revenue.

(1) Any sum so payable by the township of Sandwich West or by the township of Sandwich East shall be raised by a special rate upon all the rateable property in that part of the municipality described in Schedule "A" or in Schedule "C" respectively and the amount payable by any person in respect thereof shall be entered by the clerk on the collector's roll and shall be collected at the same time and in the same manner as ordinary municipal taxes. Special rate.

(2) Any special rate imposed for the purpose of paying expenditures for general purposes or those chargeable as part of the cost of the works, or for the purpose of payment of debentures shall in each case form a special fund to be applied to its particular purpose and no other. 1921, c. 99, s. 9; 1926, c. 78, s. 5. Rates to form special funds.

10.—(1) For the purpose of paying for any of the works authorized to be constructed or acquired under this Act or for borrowing such further sums as may be necessary to complete, extend or improve the same or to meet the cost of extensions or improvements already made, the Commission may agree with any bank or person for temporary advances to meet the cost thereof and may by by-law from time to time issue debentures for the sum so borrowed, and the debt so incurred and the debentures so issued shall be a direct liability to the lender or holder by both the Commission and by each of the said approving corporations at large to the extent of the share of each as settled by a report under section 13 hereof or by the Municipal Board on appeal thereto (if any) under section 14 or 20 hereof. 1921, c. 99, s. 10 (1); 1925, c. 85, s. 2. Debentures to be issued by Commission.

- (a) Before passing a by-law to borrow by the issue of debentures to meet the cost of completing, extending or improving any work previously authorized the Commission shall procure from their engineer a report under section 13 hereof apportioning the additional cost amongst the municipalities liable but it shall not be necessary to submit to the electors a further question in regard to the same. 1927, c. 108, s. 3. Engineer's report on cost of extension required.

Application  
of Rev.  
Stat., c. 233.

(2) The provisions of *The Municipal Act* as to by-laws for creating debts, including sections 304 and 305 shall apply to said by-laws, except that it shall not be necessary that any by-law providing for the issue of debentures relating to any particular work already approved of be submitted to the electors of any of the said corporations for their assent; and the recitals shall be those applicable to each of the said corporations. The power to issue debentures for completion, extension or improvement of any works already commenced shall only be exercised with the consent of the Municipal Board. 1921, c. 99, s. 10 (2); 1925, c. 85, s. 2.

Corpora-  
tions to  
impose rate  
to pay  
debentures.

(3) Forthwith after the passing of any debenture by-law the Commission shall serve upon each of the corporations liable to pay any share thereof a duplicate original of the by-law and the council of each of the said corporations shall at the next and each successive tax levy thereafter for the number of years the debentures are to run, impose a special rate over and above all other rates sufficient to pay its share of the principal, interest and cost of the said debentures on all the rateable property in the municipality to be collected at the same time and in the same manner as other rates.

(4) The amounts so raised shall be paid over to the Commission by each municipality and shall be used by the Commission for the purpose of retiring the debentures for which they were raised and for no other purpose whatever.

(5) The debentures may run for a term not exceeding thirty years from the time the same are issued.

(6) Any special rate so imposed shall in the case of Sandwich West or Sandwich East be charged upon and collected from only the portion thereof described in Schedule "A" or "C" hereto respectively.

Borrowing  
until re-  
quisitions  
paid.

(7) The Commission may by by-law authorize the chairman and treasurer to borrow the sums necessary to meet current estimated annual expenditure for general purposes and for special outlays the latter not exceeding the amount of the estimated requisitions or demands on account of works or undertakings which the Commission may legally make during the year and shall have the power given to a municipal corporation to borrow under section 335 of *The Municipal Act*. Any interest charges incurred shall be payable by the municipality in default.

Rev. Stat.,  
c. 233.

Issuing de-  
bentures for  
connections.

(8) The Commission may where authorized by resolution of the council of a municipality pass a by-law to pay for the cost of reports or of the connections under subsection 3 of section 22

or subsection 2 of section 23 of this Act by the issue of debentures under the provisions of section 10 and the assent of the electors shall not be required thereto, and the municipality shall be liable for the amounts of the debentures and interest as they fall due in the same manner as for other debentures under this Act.

(9) Any plant or works and land acquired for the purpose of a work and the property appertaining thereto, shall be specially charged with the repayment of any sum borrowed by the Commission for the purposes of such work or plant and for any debentures issued therefor, and the holders of such debentures shall have a preferential charge on such plant, works and land for securing the payment of the debentures issued in respect thereof, and the interest thereon.

Debentures to be a first lien.

(10) The debentures issued hereunder shall be under the seal of the Commission and signed by the chairman and secretary. 1921, c. 99, s. 10 (3-10).

Seal and signatures.

**11.** Notwithstanding the provisions of this Act, wherever it is provided that the electors shall assent to or do any act, the same shall not apply to the town of Ojibway until after the 31st of December, 1919, or any lawful extension in office after that date of the council of the said town appointed under the provisions of section 4 of chapter 108 of the Acts passed in the third and fourth years of the reign of His Majesty King George V, and until such time the assent of the majority of the council of the said town shall be a sufficient compliance with the provisions of this Act. 1921, c. 99, s. 11.

Assent by council of Ojibway.

**12.** The cost of the construction, maintenance and operation of works authorized by this Act shall be borne and paid by the Essex Border municipalities in the proportion in which the said corporations will be benefited by the said works. Such proportions shall be ascertained and determined by the engineers employed by the Commission. 1921, c. 99, s. 12.

Proportion of cost to be borne by each corporation.

#### REPORTS AND SUBMISSION TO ELECTORS.

**13.** The Commission shall, before undertaking any work provided for by this Act, employ an engineer to make a preliminary examination and survey of the proposed work and a report, estimate and apportionment of the cost of each of the said works. The Commission shall file a copy of the said report, estimate and apportionment with the clerk of each of the said corporations.

Employment of engineer.

(a) The cost of the preliminary examination, survey, report and estimate shall not exceed the following sums, that is to say:—

where

where the estimated cost of the proposed work is not more than \$25,000, 5 per cent.;

where the estimated cost exceeds \$25,000, an additional 3 per cent., up to \$50,000, on the excess;

where the estimated cost exceeds \$50,000, an additional 2 per cent., up to \$100,000 on the excess;

where the estimated cost exceeds \$100,000, an additional 1 per cent. on the excess. 1921, c. 99, s. 13.

Appeal to the Municipal Board as to proportions of cost payable.

**14.** The Commission or the council of any corporation which may become liable under the report for any portion of the cost of any of the said works, and which is not satisfied with the apportionment made by the said report, may, within thirty days after the filing of the said report with the clerk, appeal therefrom to the Municipal Board by notice of such appeal served upon the head or the clerk of each of said corporations and in that event the question of the proportions shall stand referred to and be decided by the Municipal Board. Any of the councils may assume and undertake the conduct of the proceedings before the Municipal Board.

- (a) The proceedings on an appeal under any section of this Act shall be in accordance with the rules and practice of the Municipal Board.
- (b) The Municipal Board shall decide upon and determine the said proportions, and the decision of the Municipal Board shall be final. A duplicate of the order of the Municipal Board shall be filed with the Commission. 1921, c. 99, s. 14.

Submissions of questions to electors.

**15.**—(1) The councils shall after receiving the preliminary report and estimate provided for in the preceding section submit a question in regard to the work to the electors of the proper corporations under the provisions of Part X of *The Municipal Act*. 1921, c. 99, s. 15 (1).

Rev. Stat., c. 233.

(2) In Sandwich West and Sandwich East the question or questions shall be submitted to the electors in that part of the municipality described in Schedule "A" or "C" respectively and no others, and the approval of a majority of the proper electors in either of the said areas shall constitute the approval of the respective corporation. 1921, c. 99, s. 15 (2); 1926, c. 78, s. 3.

(3) The following is the form of the question above mentioned:—

- (a) Do you approve of constructing the works authorized by *The Consolidated Essex Border Utilities Act, 1929*, the total cost of which is \$            and the estimated cost to this municipality is \$            ?

1921, c. 99, s. 15 (4) *amended*.

(4) The question shall be modified to accord with the circumstances of each undertaking proposed and shall be submitted only to the electors of the municipalities liable for a share of the cost thereof, if approved, and, except as herein otherwise provided, the work may be constructed upon approval by three or more of the corporations liable as aforesaid.

(5) Subject to the provisions of *The Public Health Act* until the electors of any of the said municipalities shall have voted favourably, nothing in this Act contained shall prevent any such municipality from constructing, establishing, installing and operating within the limits thereof any system or plant for the disposal of sewage or for establishing and operating any water-works or extending or improving any such system or plant already established within the municipality.

Rev. Stat.,  
c. 262.  
Municipal-  
ity may con-  
struct works  
before sub-  
mission to  
electors.

(6) Subject to the provisions of subsection 7 the Commission may, after the final settling of the apportionment under a report filed require the councils to submit the question or questions to the electors and in the event of the council of any Essex Border municipality not submitting the same to its electors within two months the Commission may apply to the municipal board for an order providing for the vote to be taken to determine whether or not the majority of the electors are in favour of answering the question in the affirmative or the negative and fixing the time and place for the taking of the vote, naming the returning and deputy returning officers and making such further provisions therefor as may be deemed necessary and the said Board shall have power to make an order to that effect.

Application  
to Railway  
Board on  
failure of  
municipal  
council to  
submit  
question.

(7) If the question or questions to be submitted are based upon a report respecting sewers or sewage by which the corporation of the city of Windsor is affected, or respecting the water supply or waterworks of any municipality, the said question or questions shall be submitted to the electors of the various municipalities on a day on which the annual municipal elections are held unless the proper councils agree to submit the same upon some other day. 1921, c. 99, s. 15 (5-8).

Cost of preliminary survey and reports.

**16.** In the event of the electors of any corporation not approving of the construction of the works referred to in the question or questions, submitted to the electors the cost of the said preliminary survey, report and estimate shall be borne by all of the said corporations, as provided in section 8 and the amount payable by each corporation shall be a debt payable by such corporation to the Commission. Upon receiving from the Commission an application for payment thereof, as hereinbefore provided, the corporation shall forthwith pay the same; but in the event of the electors of the corporation approving of the construction of the works referred to in the question or in any one of the questions submitted then such cost so far as provided in section 8 hereof shall become part of the cost of the work, the construction of which is approved. 1921, c. 99, s. 16.

Re-submission of questions.

**17.**—(1) In the event of the electors of any corporation not approving of the construction of the work referred to in the question or questions submitted to them as provided in section 15 hereof the Commission may by requisition in writing to the proper councils require a re-submission of any question or questions in regard to the said works or any of them to the electors of any three or more of the said municipalities, and the question or questions may be altered as the circumstances require, and also additional questions may be submitted showing the total cost and the different proportions payable by each municipality should the electors of some only of the corporations to which the question is submitted signify their approval and asking for approval should not less than three corporations approve.

(2) Instead of re-submitting to three or more municipalities with the proportions changed, the Commission may, with the consent by resolution of the council of any rejecting municipality re-submit the original question to one or more rejecting municipalities and approval of their electors shall be sufficient authority to proceed with the work.

Assumption of share of one rejecting municipality.

(3) Where a question submitted under section 15 or 17 of this Act has been rejected by only one municipality and the share of the municipality so rejecting is not more than fifteen per cent. of the total and the councils of the approving municipalities pass by-laws increasing their shares of the cost to an amount sufficient to absorb the share of the rejecting municipality, the Commission shall thereby be authorized to proceed with the work and the liability of the municipalities shall be in the proportions provided in said by-laws. 1921, c. 99, s. 17.



**18.** In the event of the electors of three or more of the corporations whose share of cost has been shown in a question submitted as aforesaid approving of the construction of any of the works, the Commission may proceed with the construction of the works approved of for the use and benefit and at the cost of the corporations approving and the provisions of this Act and the powers of the Commission shall apply to the corporations for the benefit of which such work or works are being constructed, and the proportion payable by each municipality shall be as shown in the question. 1921, c. 99, s. 18.

Construction of works when approved by at least three municipalities.

**19.** In the event of the electors of any corporation not approving of the construction of the works referred to in a question submitted to them as herein provided but which other corporations nevertheless undertake the head and commissioner of such corporations shall not thereafter vote on any question relating to the construction, maintenance, operation or payment for or raising money in relation thereto and in voting in regard to any such work which has been disapproved, a majority of the Commission who still have the right to vote shall constitute a quorum. 1921, c. 99, s. 19.

Retirement of Commissioner of corporation disapproving.

**20.—(1)** On or before the first day of December in any year the council of any of the Essex Border municipalities may file with the secretary of the Commission an application showing that its actual benefit derived from any authorized work during the previous year substantially differs from its apportionment of the debt incurred and asking for a refund therefor accordingly and for a reapportionment of the unpaid part of such debt and the Commission shall hear all parties signifying their desire to be heard and may by by-law reapportion amongst the municipal corporations liable the said debt according to the benefit derived and also the annual amounts thereafter to be raised to pay the debentures issued and shall equalize the payments accordingly.

Re-apportionment of cost between corporations.

(2) A period of two weeks shall be allowed to elapse between the second and third readings of the by-law and during this period any of the said corporations may appeal to the Railway and Municipal Board and in that event the question of the reapportionment shall be reconsidered and determined by the Municipal Board and in case the said Commission or the Municipal Board shall alter the apportionment then from and after the service of a copy of the said by-law or order (as the case may be) upon the clerks of the municipalities liable each corporation shall raise and levy the sum or sums provided in said order or by-law until the debt is fully paid by a special rate or rates sufficient therefor over and above all other rates on the rateable property of the municipality



to be collected at the same time and in the same manner as other rates, but the total of the amounts to be raised by the corporations to pay any debenture or debt shall not be changed.

(3) A copy of the proposed by-law shall within three days after it has received its second reading be served upon the clerks of each of the municipalities which may be liable thereunder together with a notice stating the day of its second reading and that an appeal must be brought within two weeks from said day.

(4) If the council of any corporation refuses or neglects after service of the said order or by-law to impose or collect the said rate, the sum so required to be raised shall be a debt which may be recovered by the Commission from the corporation liable by suit in any court of competent jurisdiction. 1927, c. 108, s. 2.

Apportion-  
ment of cost  
of operation.

**21.** Upon the completion of any of the said works the engineer or engineers employed by the Commission shall file with the Commission a report setting out what is considered a fair distribution amongst the corporations of the annual cost of operating and maintaining (including depreciation) any one or more of such works; a copy of such report shall be filed by the Commission with the clerk of each of the municipalities and the said report shall have the same effect and be subject to the same provisos and conditions, including an appeal to and reconsideration from time to time by the Municipal Board as a report filed under sections 13 and 14 of this Act and each of the corporations shall thereafter be liable for the amount settled as their proportion of the maintenance, depreciation, cost of operating and deficiency (if any) from previous years, but no submission to the electors shall be required before the report shall become binding upon the corporations; and the share of each corporation of the moneys required shall be payable annually forthwith after application under this Act by each corporation out of its current revenue. 1921, c. 99, s. 21.

#### TRUNK SEWERS.

Trunk  
sewers.

**22.**—(1) The Commission may construct, maintain and operate one or more trunk sewers in or near the Essex Border municipalities, and in connection therewith shall construct, maintain and operate such pumping and disposal plant or plants (if any) that may be required for the effective operation of the same and for the disposal of the sewage; and also in connection with any trunk sewer in Ojibway shall construct, maintain and operate a plant for the treatment and disposal

of the sewage from said trunk sewer at a point in or near to Ojibway.

(2) The said trunk sewers shall each have such sectional area and carrying capacity as will efficiently convey all the sewage from the sewers or system of sewerage of each of the said municipalities to the plant or plants for treating and disposing of the same constructed in connection therewith under this Act.

(3) The sewers or system of sewers of the Essex Border municipalities or such of them as shall approve by vote as provided in section 15, may be connected with the said trunk sewers. Such connections shall be made by the engineer of the Commission according to plans and specifications made by the engineer. The cost of making such connections shall be borne and paid by the said corporations respectively for which the same are made. 1921, c. 99, s. 22 (1-3).

(4) The Commission may also construct intercepting sewers and pumping and disposal plants to provide for the transmission and disposal of the sewage from any drainage area or basin within the Essex Border municipalities not included in the original trunk sewer system constructed under the provisions of subsection 1, and in each case the engineer's report thereon shall set out the area or areas benefitted thereby but no work shall be constructed without the assent by by-law of the council of the local municipality within which any part of the area lies. 1921, c. 99, s. 22 (5).

(5) The Commission may, as ancillary or incidental to the construction of any trunk sewer, enter into possession of, construct, reconstruct, improve, maintain and operate any drainage work under *The Municipal Drainage Act* and situate in part or in whole within the Essex Border municipalities, and in such case the report of the engineer shall as to any new expenditure set out the details required under the provisions of *The Municipal Drainage Act*; and an appeal shall lie to the Drainage Referee as to the matters set out in section 93 of the said Act and the said Referee shall also have power to determine the portion, if any, which should be borne by the trunk sewer; the council of the municipality within which any such area may lie upon the request of the Commission shall hold a court of revision in regard to the assessments to be made under said report with the powers and duties of a court of revision under the said Act, and an appeal shall lie therefrom to the county judge and, the cost shall be borne by the areas in the proportions so determined, and no appeal shall lie to the Municipal Board in respect of such report. 1921, c. 99, s. 22 (6); 1928, c. 64, s. 10, *part*.

May construct intercepting sewers in adjoining area.

May control and reconstruct drainage works that interfere.

Rev. Stat., c. 241.

Cost to be borne by the areas.

(6) The cost of works authorized under subsections 4 and 5 shall be borne by the area benefitted only, and the approval of the question to be submitted in regard thereto under section 15 shall be required only by the electors of the said area.

No power to change any assessment or obligation.

(7) Nothing herein contained shall authorize a change in the amount of any assessment made before the taking over by the Commission or in the liability of the lands or the municipality for any rate previously imposed to pay any debenture or debt in respect of any work.

Application of moneys.

(8) Any sums collected by a municipality for maintenance or operation of any work taken over under subsections 4 and 5 shall thereafter be applied *pro tanto* to pay the requisitions made by the Commission for such purposes. 1921, c. 99, s. 22 (7-9).

Cost of maintenance borne by the areas.

(9) The cost of operating or maintaining any work coming under the control of the Commission under subsections 4, 5 or 10 shall be borne by the area and in the proportions determined by a report which shall be made under section 21. 1921, c. 99, s. 22 (10); 1926, c. 78, s. 4.

Commission may authorize report on Grand Marais sewer.

(10) (a) The Commission may by by-law authorize its engineer to make a report under section 13 upon the construction of a sewer to drain the sanitary sewage and surface storm and waste water from the Grand Marais basin together with the necessary connections and appliances and outlet works and pumping and treatment or disposal plants as a work to be constructed under the provisions of this Act and the cost of the report shall be paid in the same proportions as the cost of the work is charged in the said report by the municipalities within which any of the lands charged are situate.

Report to set out areas to be benefitted.

(b) The report shall define the Grand Marais basin and set out the areas in the urban and rural municipalities within which the lands receive equal benefit and any other lands which should be charged and shall determine the share of the cost which should be borne by each area and by the other lands which should be charged, and the amount to be paid by each of the municipal corporations at large.

Total cost to include compensation.

(c) The total cost shall include any amounts payable for compensation or damage incidental to the construction.

Appeal.

(d) An appeal under section 14 may also be taken from such report by any owner and the board may vary the proportion to be paid by any such area, other lands or the muni-

cipal corporations and may re-define the said areas and eliminate lands which should not be charged.

(e) Notwithstanding any provisions to the contrary in this Act the question to be submitted under section 15 shall be submitted only to the electors within the areas benefited and of the other lands charged and the approval of a majority of the electors voting shall authorize the construction of the said work and the corporations within which any of the said lands are situate shall be deemed thereby to have approved under the provisions of this Act and the provisions of this Act shall apply to the same, subject always to the consent of the Department of Health which may authorize the construction of the said work without the said approval under the provisions of *The Public Health Act*. Assent of electors.  
Rev. Stat.,  
c. 262.

(f) Upon authorization the Commission may by by-law borrow under the provisions of section 10 a sum not greater than the estimated cost. Power to borrow.

(g) The by-law or by-laws of the Commission providing for the borrowing of the money shall set out the amounts to be raised from each area defined, the other lands and the municipal corporations at large charged and the said amounts shall be raised by special rates on all the rateable property of each accordingly; the clerks of the several municipal corporations shall enter the amount payable by each person in the collector's roll annually for the term of the debentures and the same shall be collected at the same time and in the same manner as ordinary municipal taxes. Apportionment of liability for amounts borrowed.

(h) In case the actual cost shall exceed the estimated cost the excess shall be borne in the same proportions and shall be raised by special rates in the same manner as the amounts required to be raised under clause (g) hereof. Excess, if any, over estimated cost.

(i) After the construction of the said Grand Marais sewer the Commission may from time to time upon application made by the council of any Essex Border municipality charged with any part of the cost and upon a report of the engineer recommending same enlarge or extend any of the areas so defined and may re-apportion the costs accordingly subject to an appeal under section 14 hereof. Power to extend area after construction of sewer.

(j) Provided always that should the Drainage Referee in the matter now before him under the provisions of *The Municipal Drainage Act* in which the municipal corporation of the township of Sandwich West and the Canadian Pacific Railway and others are appellants and the municipal corporation of the township of Sandwich East is respondent Consent of municipalities, to be charged, if drainage referee directs construction of a certain drain.

before the passing of the by-law under clause (f) hereof have directed the construction of the drain as set out in the report of R. W. Code, dated the 14th day of February, 1927, the Commission shall not pass any by-law authorizing the borrowing of the money for constructing the said Grand Marais sewer without the consent by by-law of the councils of the Essex Border municipalities charged with any part of the cost.

(k) If the construction of the said work is authorized the engineer may include as part of the cost of same the amount of the indebtedness heretofore incurred by the townships of Sandwich East and Sandwich West in procuring the said report of R. W. Code and of the proceedings before the Drainage Referee in respect thereof which indebtedness shall be borne by such area as the said engineer of the Commission may direct unless the Drainage Referee shall have already determined how the same should be paid. 1928, c. 64, s. 10, *part.*

#### WATERWORKS.

Establishing  
a joint water  
system.

**23.**—(1) The Commission may construct or acquire by purchase and maintain and operate one or more systems of waterworks in or within fifteen miles of the town of Ford City and may acquire by purchase or otherwise and may enter on and expropriate any lands, waters and water privileges and divert any lake, river, pond, spring or stream of water within the said town or within fifteen miles thereof, that may be deemed necessary for waterworks purposes or for protecting the waterworks, for preserving the purity of the water supply or pumping or purifying the water.

(2) The Commission may convey and deliver the water to the Essex Border municipalities, or such of them as shall approve by vote as provided in section 15, and for the purpose of purchasing from or supplying water to the Essex Border municipalities and adjoining municipalities and companies, associations and persons located therein may sink and lay down a main water pipe or pipes, and construct works, tanks reservoirs, and other conveniences at such place or places in or near to any of the said municipalities as may be required, and may from time to time alter their location or construction as may appear advisable. Each of the said municipalities may connect its waterworks systems with the said works for the purpose of receiving the water. Such connection shall be made at such place and in such manner as the Commission may direct, and according to plans and specifications made by the engineer and under his direction and superintendence, and the cost of making such connections shall be paid by the corporation for which the same are made.

(3) Except as herein otherwise provided the Commission shall have and may exercise all the powers conferred upon the corporation or council of a municipality by *The Public Utilities Act* with reference to waterworks, and also as to any works situated in any of the Essex Border municipalities, the powers contained in section 60 of the said Act, but shall not have power to impose any rate under section 14 of *The Public Utilities Act* upon any land charged with a similar rate or with any water rate. 1921, c. 99, s. 23.

#### LOCAL BOARD OF HEALTH.

**24.**—(1) The local board of health for the Essex Border municipalities from and after the first day of July, 1919, shall consist of the chairman of the Commission, and the medical officer of health appointed by the Commission and five resident ratepayers of the Essex Border municipalities to be appointed annually by the Commission at its first meeting in every year. The Board shall be known as the Local Board of Health for the Essex Border municipalities, and shall be a local board of health within the meaning of *The Public Health Act*. 1921, c. 99, s. 24 (1); 1924, c. 93, s. 4.

(2) The Commission shall have the powers and privileges and perform the duties of a municipal council under *The Public Health Act*, except that the Commission shall not have the power to raise any sum of money by taxation or to direct any sum to be added to any collector's roll.

(3) The secretary of the Commission shall be the secretary of the Board of Health, and shall perform the duties prescribed by *The Public Health Act* for the secretary of a local board of health. 1921, c. 99, s. 24 (2, 3).

(4) Notwithstanding the provisions of section 12 of *The Public Health Act*, from and after the first day of July, 1919, the local boards of health and medical officers of health for the municipalities of the city of Windsor, towns of Walkerville, Sandwich, Ford City, Riverside and Ojibway, shall be discontinued but the town of LaSalle and those portions of the townships of Sandwich West and Sandwich East included within the Essex Border municipalities so long as they are not included in any urban municipality shall not be included within the jurisdiction of the Local Board of Health for the Essex Border municipalities. 1928, c. 64, s. 6.

(5) The Commission shall appoint a legally qualified medical practitioner to be the medical officer of health for the Essex Border municipalities, who shall have the powers and perform the duties of a medical officer of health under *The Public Health Act*, and who shall be paid a reasonable salary by the Commission.



Sanitary inspectors.

(6) The Commission shall also appoint such number of sanitary inspectors for the Essex Border municipalities as may be deemed necessary by the said local board of health and as may be prescribed by the regulations, who shall be subject to the provisions of *The Public Health Act*.

Rev. Stat., c. 262.

Payment of expenses.

(7) The treasurer of the Commission shall forthwith upon demand pay the amount of any account for salary of the medical officer of health or for services performed by any officer under the direction of the said board and for materials and supplies furnished or for any expenditure incurred by the said board or by the said medical officer of health or sanitary inspectors, in carrying out the provisions of *The Public Health Act*, after the said board has by resolution approved of the account and a copy of the resolution certified by the chairman and the secretary of the said board has been filed with the treasurer of the Commission.

Rev. Stat., c. 262.

Expenses to be paid in proportion to population.

(8) The accounts so paid by the Commission under this section shall be paid to the Commission by the Essex Border municipalities upon application made under section 5 of this Act, and so far as such expense was in the judgment of the Commission incurred for the benefit of one only of the said municipalities shall be paid by that municipality, but so far as incurred for the benefit of more than one, shall be paid by those municipalities proportionately to their population, according to the last certificates of the assessor or assessment commissioner, except that the proportion to be paid by the town of Ojibway shall be fixed by the Commission until such time as the Commission shall decide and declare that its population has increased so that it will bear its fair proportion under this section.

Installation of sanitary conveniences.

(9) The said local board of health shall have the right to require that any sum of money expended for sanitary conveniences under section 23 of *The Public Health Act* shall be added to the collector's roll of the municipality within which the premises are situate.

Rev. Stat., c. 262.

Expense of sanitation, how borne.

(10) Any expense incurred under section 33 of *The Public Health Act* may be recovered from the Commission or from any one or more of the municipal corporations certified to by the Minister, and in case of payment the right of recovery under subsection 3 of said section shall accrue to the corporation or corporations paying. 1921, c. 99, s. 24 (5-10).

Rev. Stat., c. 262.

Power to bring municipality under local board of health of Commission.

(11) The Essex Border Utilities Commission may by by-law after receiving the approval by resolution of the council of any of the Essex Border municipalities include the whole or any area of the respective municipality within the jurisdiction of the Local Board of Health for the Essex Border municipalities and thereafter the provisions of this section shall apply thereto. 1929, c. 97, s. 3.

## HOSPITALS.

**25.**—(1) The Commission shall have and is hereby vested with the powers of a municipal corporation to establish, erect, maintain, manage and control within the Essex Border municipalities one or more isolation hospitals for the reception and care of persons suffering with any communicable disease.

Establishing  
isolation  
hospital.

(2) The Commission may agree for temporary advances and may borrow money under section 10 hereof by the issue of debentures for the purpose mentioned in subsection 1 hereof, and it shall not be necessary to obtain the assent of the electors of the Essex Border municipalities to any by-law for raising money for such purpose; such debentures shall be payable within twenty years from the date of the issue thereof.

Borrowing  
powers.

(3) The Commission shall not establish any such hospital until it has submitted the plans and a report showing the proposed equipment and cost and its apportionment amongst the several municipalities to the Department of Health and obtained the permission of the Department of Health to proceed.

Approval of  
Department  
of Health.

(4) Upon permission being given by the Department of Health a duplicate of the report shall be filed with the clerk of each municipality, and such report shall be subject to the provisions of sections 14 and 20 of this Act.

Reports to  
be made  
before con-  
struction.

(5) Upon completion of any work provided for in this section the maintenance shall be provided for under the provisions of section 21.

Mainten-  
ance.

(6) The Commission shall have the powers given by sections 48, 49, and 50 of *The Public Health Act* to a municipal corporation in regard to emergency hospitals within the Essex Border municipalities and the acquiring of land and buildings for that purpose, and the cost shall be paid under subsection 8 of section 24 of this Act. 1921, c. 99, s. 25; R.S.O. 1927, c. 262, s. 3.

Emergency  
hospital for  
district.

Rev. Stat.,  
c. 262.

**26.**—(1) The Commission may erect, establish, equip, maintain, manage and control a public hospital for the Essex Border municipalities for the treatment of persons suffering from disease or injuries.

Establishing  
public  
hospital.

(2) The erection, establishment, and equipment of such hospital shall be a work authorized under the provisions of this Act and the maintenance shall be provided under section 21 of this Act.



Report on  
public  
hospital to  
be made  
before con-  
struction.

(3) A preliminary report shall be filed under section 13 of this Act and shall be made by an engineer, architect, contractor or other person skilled in the matter and appointed by the Commission for that purpose and the provisions of sections 14 to 20 inclusive shall apply to the report. 1921, c. 99, s. 26.

#### METROPOLITAN PARK.

Metro-  
politan park  
board.

**27.**—(1) The Commission shall have and is hereby vested with the power of a Board of Park Management to acquire, develop, lay out, maintain and improve a Metropolitan Park or park system for the Essex Border municipalities under *The Public Parks Act*.

Rev. Stat.,  
c. 248.

Power to  
acquire park.

(2) The acquiring, developing, laying out and improving of any park, avenue, boulevard or drive shall be a work authorized under the provisions of this Act after approval by the proper electors, and the report necessary may be made by any person skilled in such matters.

Power to  
manage.

(3) The Commission shall also have the power to manage, control, develop, and improve any park, avenue, boulevard, drive or any part thereof or any land of any of the Essex Border municipalities not immediately required for any other purpose where the council of the municipality with the consent of the Board of Park Management thereof (if any) declares and provides that the same shall form part of the Metropolitan Park System.

Apportion-  
ment of cost.

(4) The cost of acquiring, developing, laying out, improving and maintaining any work under this section shall be paid by the municipalities approving thereof proportionately to the assessed value of all their rateable, real and personal property included within the Essex Border municipalities according to the last certificate of the assessor or assessment commissioner, and there shall be no appeal to the Municipal Board in respect of the same.

Issue of  
debentures.

(5) The Commission shall have power to raise by issue of debentures the sums required for the acquisition, developing, laying out and improving of any work authorized under this section, but the rate to be levied shall not exceed one mill on the dollar upon the assessed value of all the rateable real and personal property liable.

Apportion-  
ment of  
main-  
tenance.

(6) The provisions of section 21 of this Act shall apply to the cost of maintenance and management, but the report may be made by any person skilled in such matters.

Protection  
of parks.

Rev. Stat.,  
c. 248.

(7) Sections 18, 19 and 20 of *The Public Parks Act* shall apply to the lands acquired or managed under this section.

(8) The land acquired or managed as aforesaid may be wholly or partly within any of the Essex Border municipalities or within ten miles thereof. 1921, c. 99, s. 27.

#### TOWN PLANNING.

**28.**—(1) The Commission shall have and is hereby vested with the powers of the several town planning commissions which the city of Windsor, the towns of Walkerville, Sandwich, Ford City, Riverside and Ojibway are authorized to appoint under section 13 of *The Planning and Development Act*, and may exercise the same within the urban zones within which any of the said municipalities are situate. 1921, c. 99, s. 28 (1); 1922, c. 109, s. 4.

Town  
planning.

Rev. Stat.,  
c. 236.

(2) The provisions of subsections 2, 3, 4, 6, 7, 8 and 9 of said section 13 of *The Planning and Development Act* shall not apply to the Essex Border Utilities Commission. 1921, c. 99, s. 28 (2).

Certain pro-  
visions,  
Rev. Stat.,  
c. 236, not  
to apply.

(3) Instead of the fees provided for in subsection 6 of section 5 of *The Planning and Development Act* the Commission may charge a sum not less than ten dollars nor greater than twenty-five dollars for the approval of any plan of a subdivision, which sum shall be paid to the Commission at the time of the deposit of the plan as provided herein. 1924, c. 93, s. 5, *part*.

Fees for  
plans re-  
duced.

Rev. Stat.,  
c. 236.

(4) Any person desirous of surveying and sub-dividing into lots any tract of land, part of which is situate within the urban zone which includes any of the Essex Border municipalities shall take the following proceedings instead of those set out in section 6 of *The Planning and Development Act*. 1921, c. 99, s. 22 (4).

Procedure to  
obtain  
approval of  
plans.

Rev. Stat.,  
c. 236.

(a) Such persons shall submit to the Commission a plan of the proposed sub-division prepared in accordance with the provisions of *The Registry Act* together with such copies or blue prints as the Commission may direct and shall obtain from the council of each municipality within which any part of the land is situate written approval of the plan. 1924, c. 93, s. 6.

Rev. Stat.,  
c. 155.

(b) Upon receipt of such approval the Commission may, after hearing any parties who have notified the Commission in writing that they desire to be heard, approve, reject or direct changes to be made in the plan. 1924, c. 93, s. 7.

(c)

- (c) Where the plan is one coming within subsection 3 of section 5 of *The Planning and Development Act*, approval must be obtained by each municipality within which any part of the land is situate and by the Commission. 1921, c. 99, s. 28 (4), cl. (d); 1922, c. 109, s. 5; 1924, c. 93, s. 8.

Rev. Stat.,  
cc. 155, 236.

- (d) Approval and signature by the Commission under this section shall be good and sufficient approval of the municipalities within the urban zone under *The Registry Act* and *The Planning and Development Act* except as herein otherwise provided. 1921, c. 99, s. 28 (4), cl. (e); 1924, c. 93, s. 9.

Improving  
of through  
streets.

- (5) Where the Commission has filed and registered a plan under section 4 of *The Planning and Development Act* it may with the consent by resolution of the councils of the municipalities within which any work is to be done by by-law declare that the widening, straightening, diverting, or improving of a through street or boulevard is a work beneficial to more than one of the Essex Border municipalities, and may by proceedings under sections 483, 484 and 485 of *The Municipal Act* enquire into and ascertain the cost of widening, straightening, diverting or improving such through street or boulevard and file a report and proceed with the same as an authorized work after approval by the proper electors. 1921, c. 99, s. 28 (5).

Rev. Stat.,  
c. 233.

Conveyance  
by metes and  
bounds to  
avoid the  
giving of  
streets in  
certain areas  
prevented.

- (6) For the purpose of preventing the conveyance of lands by metes and bounds to avoid the registry of a plan of a subdivision and the proper laying out of streets, the Commission may register with the Registrar of Deeds in the Registry Division of the County of Essex from time to time one or more plans, accompanied by a description of one or more areas of land within the jurisdiction of the Commission which in the opinion of the Commission is ready for subdivision and which has not already been subdivided according to a plan approved under *The Planning and Development Act* and thereafter no agreement of sale, deed of conveyance, or mortgage in fee containing a description by metes and bounds of a parcel of land within such areas shall be accepted by the said Registrar for registration without the consent in writing of the Commission endorsed thereon. 1924, c. 93, s. 10, *part*.

#### GENERAL POWERS.

Powers of  
Commission.

- 29.—(1)** The said Commission shall have power to acquire, establish, construct, maintain, control and operate the works herein authorized and provided for and shall have all powers

necessary

necessary for that purpose, including the powers herein expressly conferred upon the Commission. 1921, c. 99, s. 3 (6).

(2) The provisions of Part XV of *The Municipal Act* shall apply to the Commission in all respects, and the Commission shall have and may exercise the powers thereby conferred upon a municipal corporation or upon the council of a municipal corporation. 1921, c. 99, s. 22 (4).

Application  
of Part XV  
of Rev.  
Stat., c. 233.

**30.** The following Acts and parts of Acts are hereby repealed:—

1921, chapter 99—The Whole.

1922, chapter 109—The Whole.

1924, chapter 93—The Whole.

1925, chapter 85—The Whole, except section 1.

1926, chapter 78—The Whole, except section 6.

1927, chapter 108—The Whole.

1928, chapter 64—The Whole.

and the provisions of this Act are substituted therefor.

**31.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

### SCHEDULE "A".

All those portions of the Township of Sandwich West bounded as follows:—

#### AREA No. 1

Bounded on the east and south as follows:—Commencing at the intersection of the southerly limit of the City of Windsor and the centre line of Howard Avenue; thence southerly along the centre line of Howard Avenue and the line between the Township of Sandwich East and Sandwich West to its intersection with the road allowance between the Third and Fourth Concessions; thence southerly along the centre line of the said Howard Avenue being the boundary of the Township of Sandwich South, to its intersection with the centre line of the Talbot Road; thence westerly along the centre line of the Talbot Road to a point in the limit between farm lots 3 and 4 in the Fifth Concession produced southerly; thence northerly along the said limit between lots 3 and 4 and its productions to the centre line of the road allowance between the Fourth and Fifth Concessions; thence westerly along the centre line of the road allowance between the Fourth and Fifth Concessions to a point in the westerly limit of registered plan 1241 produced southerly; thence northerly following

the

the westerly limit of plan 1241 and its productions to the centre line of the road allowance between the Third and Fourth Concessions; thence westerly following the last mentioned road allowance to the Huron Church Line; thence southerly along the Huron Church Line to the road in rear of the Second Concession (Petite Cote); thence southerly along the said road in rear of the Second Concession to the southerly limit of farm lot 36; thence westerly along said limit of farm lot 36 to the easterly limit of the Town of LaSalle at its intersection with the Malden Road; thence northerly along the Malden Road to the northerly limit of the Town of LaSalle; thence along the northerly limit of the Town of LaSalle to the Detroit River, and bounded on the west and north as follows in order, the Detroit River, the Town of Ojibway, the Detroit River, the Town of Sandwich and the City of Windsor.

#### AREA No. 2

Bounded on the north by the southerly limit of the Town of LaSalle on the west by the Detroit River, on the south by the Anderdon town line and on the east as follows:—Commencing at the intersection of the southerly limit of the Town of LaSalle with the Matchett Road; thence southerly along the Matchett Road to the centre line of Martins Lane; thence southerly parallel with the easterly limit of the River Front Road to a point distant 250 feet measured southerly at right angles to the southerly limit of Martins Lane; thence westerly and parallel with the southerly limit of Martins Lane to a point distant 2,000 feet measured parallel to Martins Lane from the easterly limit of the Front Road; thence southerly and parallel to the easterly limit of the Front Road to the line between the Townships of Sandwich West and Anderdon.

1928, c. 64, s. 7.

### SCHEDULE "B."

#### THE ESSEX BORDER UTILITIES COMMISSION

Application No. ...., made under *The Consolidated Essex Border Utilities Act, 1929*.

To the Councils of the Corporations of Windsor, Walkerville, Sandwich, Ford City, Ojibway and Sandwich West.

The Essex Border Utilities Commission hereby applies for the sum of \$ ..... for expenditures on capital account (or) for general purposes

The said sum is apportioned as follows:

Windsor.....	\$
Walkerville.....	\$
Sandwich.....	\$
Ojibway.....	\$
Sandwich West.....	\$

Dated this.....day of....., 19....

(SEAL)

.....  
Chairman.

.....  
Secretary.

(NOTE.—Do not include moneys required for expenditures on capital account and moneys required for general purposes in the same application.)

1921, c. 99, sched. "B."

SCHEDULE

## SCHEDULE "C."

All that part of the Township of Sandwich East bounded as follows:— Commencing at the intersection of the town line between Sandwich South and Sandwich East with the town line between the Townships of Sandwich West and Sandwich East and proceeding easterly along the town line between Sandwich South and Sandwich East to the Pillette Road; thence northerly along Pillette Road to the Third Concession Road; thence easterly along the Third Concession Road to the line between farm lots 117 and 118; thence northerly along the last mentioned line to the lands of the Canadian National Railway; thence westerly along the southerly boundary of the Canadian National Railway to the line between the Township of Sandwich East and the Town of Ford City; thence southerly along the last mentioned line to Tecumseh Road; thence westerly along Tecumseh Road to the boundary between the Township of Sandwich East and the Town of Walkerville; thence southerly along the said boundary to the Canadian Pacific Railway right-of-way and continuing westerly along the boundaries of the Town of Walkerville and the City of Windsor to the boundary between the Townships of Sandwich East and Sandwich West; thence southerly along the said boundary to the point of beginning.

1928, c. 64, s. 8.

## SCHEDULE "D."

That portion of the Township of Sandwich South, commencing at the junction of the boundaries of the Townships of Sandwich South, West and East, thence easterly along the boundary between the Townships of Sandwich East and South to the centre line of Lot 18 in the 8th Concession of the Township of Sandwich South; thence southerly along the centre line of the lots in said Concession 8 to the North Talbot Road; thence northwesterly along the North Talbot Road to the line between Lots numbered 301 and 302 north of the Talbot Road; thence southwesterly along the last mentioned line to the line dividing the North and South halves of lots south of Talbot Road; thence northwesterly along last mentioned line to the westerly boundary of the Township; thence northerly along the last mentioned boundary to the point of commencement.

1929, c. 97, sched. "D."

## CHAPTER 99.

## An Act respecting the Village of Fort Erie.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the village of Fort Erie has, by petition, represented that it is desirable and necessary in the interests and growth of the said village that the boundaries of the said village should be extended to include that certain area being a part of the municipal corporation of the township of Bertie as is hereinafter described, and whereas the said corporation of the said village by the said petition has prayed that an Act be passed extending the boundaries of the village as in the petition set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Fort Erie Act, 1929.*

Annexation  
of part of  
Township  
of Bertie.

2. That part of the township of Bertie described as follows:

Beginning at a point in the southwest limit of Fort Erie where the westerly boundary of the village of Fort Erie intersects the water's edge of Lake Erie; thence easterly and parallel with the north limit of the said village thirty-nine hundred and eighty feet (3,980') more or less to the international boundary line; thence following the international boundary line easterly and northerly to a point where the northern limit of the village of Fort Erie extended easterly would intersect the said international boundary line; thence west on the line of the north limit of Fort Erie extended sixteen hundred and fifty feet (1,650') more or less to the water's edge of the Niagara River; and thence southerly and westerly along the water's edge of the Niagara River and Lake Erie, being the eastern boundary of the village of Fort Erie, to the place of beginning;

is hereby detached from the said township and annexed to the village of Fort Erie.

**3.** There shall be an adjustment of assets and liabilities between the said township and village as provided by section 38 of *The Municipal Act*.

Adjustment  
of assets and  
liabilities.

Rev. Stat.,  
c. 233.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.



## CHAPTER 100

## An Act respecting the City of Galt.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the city of Galt has, by its petition, represented that after due notice, the following questions, that is to say:

- (a) Are you in favour of an application being made to the Legislature of Ontario to pass an Act to provide that for the year 1930 and thereafter the council of the city of Galt shall be composed of a mayor and ten aldermen, to be elected by a general vote of the electors; that the mayor shall be elected annually by a general vote of the electors?
- (b) Are you in favour of said Act providing that the five aldermen who shall obtain the highest number of votes at the election held for the year 1930 shall hold office for a term of two years and the remainder of the aldermen elected at said election shall hold office for a term of one year; and that in each year thereafter one-half of the said ten aldermen shall be elected by a general vote of the electors and shall hold office for a term of two years?

were submitted to the vote of the municipal electors of the city of Galt, and the majority of said electors voted "Yes" on each question; and that the corporation of the city of Galt is desirous of giving effect to the wishes of the said electors as expressed by said vote; and whereas the said corporation has, by its petition, prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Galt Act, 1929.*

**2.**—(1) For the year 1930 and thereafter, the council of the city of Galt shall be composed of a mayor and ten aldermen to be elected by a general vote of the electors. <sup>Composition of council.</sup>

(2) The mayor of said city shall be elected annually by a general vote of the electors. <sup>Election of mayor.</sup>

(3) The five aldermen who shall obtain the highest number of votes at the election held for the year 1930 shall hold office for a term of two years, and the remainder of the aldermen elected at said election shall hold office for a term of one year; and in each year thereafter one-half of the said ten aldermen shall be elected by a general vote of the electors and shall hold office for a term of two years. <sup>Term of office of aldermen.</sup>

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## CHAPTER 101

## An Act respecting the Town of Georgetown.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the town of Georgetown has by petition represented that by a certain agreement made between the said corporation and Smith & Stone, Limited, of the town of Georgetown, bearing date the 19th day of January, 1929, and for the reasons therein set out, the said corporation, subject to the approval of the qualified electors of the said corporation and the confirmation of the Legislative Assembly of the Province of Ontario, did, for a period of ten years from January 1st, 1930, fix the assessment of the company at \$15,000 per annum and agree to supply 100,000 gallons of water per month to the company free of charge; and whereas the said agreement and by-law number 72-A of the corporation authorizing the execution of it were duly submitted to and approved by the qualified electors of the said corporation, 321 voting in favour of the same and 24 against, and the said by-law was passed by the unanimous vote of the council of the said corporation; and whereas the said corporation has by its petition further represented that it is desirable and in the interests of the said corporation that the said agreement and by-law should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas subject to the provisions hereinafter contained it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Georgetown Act, 1929.*

By-law  
No. 72A and  
agreement  
with Smith  
& Stone Ltd.,  
confirmed.

**2.**—(1) Subject to the provisions of subsection 2, by-law number 72-A of the corporation of the town of Georgetown set out as schedule A hereto, and the agreement made between the said corporation and the said company, set out as schedule B hereto, are confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and also on the said company.

(2) Notwithstanding anything to the contrary contained therein the said by-law and agreement shall not affect or apply to assessment and taxation for school purposes or local improvements or to exemption from municipal income tax or to the supply of water, free of charge, to the company.

By-law and agreement not to apply for certain purposes.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## SCHEDULE "A."

### BY-LAW No. 72-A.

A by-law authorizing the execution of a proposed agreement dated the 19th day of January, 1929, between the Municipal Corporation of the Town of Georgetown and Smith & Stone, Limited, providing, on the terms and conditions therein set out (for and during a period of ten years from the 1st day of January, 1930), for the fixing of the assessment of the said Company at \$15,000 per annum and the supply by the Corporation to the Company of 100,000 gallons of water per month, free of any charge to or payment by the Company.

Whereas an agreement has been arrived at between the Municipal Corporation of the Town of Georgetown and Smith & Stone, Limited, providing (for and during a period of 10 years from the 1st day of January, 1930) for the fixing of the assessment of the said Company at \$15,000 per annum and the supply by the Corporation to the Company of 100,000 gallons of water per month, free of any charge to or payment by the Company.

Now therefore be it and it is hereby enacted by the Municipal Corporation of the Town of Georgetown as follows, that is to say:

1. That the Mayor and the Clerk of the Municipal Corporation of the Town of Georgetown be and they are hereby authorized and directed for and on behalf of the Corporation, to sign and execute the agreement dated the 19th day of January, 1929, between the said Corporation and Smith & Stone, Limited, which agreement is hereto annexed and marked "Schedule B" and is hereby incorporated with and forms part of this by-law, and the said Clerk is hereby authorized and directed to affix the corporate seal of the Corporation to the said agreement.

2. That the annual assessment of Smith & Stone, Limited, and of all its property, as well future as present, in the Town of Georgetown, upon which its factory and works are now or shall hereafter be situate (including lands, buildings, plant, machinery and other property thereon or therein), for the purposes of municipal taxation, including business and school taxes and rates, shall be and is hereby fixed at the sum of fifteen thousand dollars (\$15,000) for a period of ten (10) years from and inclusive of the first day of January, one thousand nine hundred and thirty (1930), during which period the Company and its property shall be exempt from the payment of any municipal income tax or assessment and from any special taxes or assessments for any improvement or work of that class of improvements or works, where the cost thereof is or would otherwise be charged against the lands specially benefited thereby.

3. That Smith & Stone, Limited, be supplied with water by the Corporation to the extent of one hundred thousand (100,000) gallons per month, free of any charge to or payment by the Company.

4. That the assessors and other officers of the Town of Georgetown making assessments be and they are hereby authorized and required to make their assessments and returns so as to conform with the provisions of this by-law.

5. That application shall be made by the Corporation, or at its option, by the Company, to the Legislature of the Province of Ontario, to confirm this by-law, for the purpose of carrying the provisions thereof into effect; and if such application be made by the Company, the Corporation give its consent and support thereto.

Read and passed a first and second time in Council this 22nd day of January, 1929.

(Sgd.) "F. L. HEATH," *Clerk.*  
(SEAL)

Read a third time and finally passed at a meeting of a Council held this 25th day of February, 1929.

(SEAL) (Sgd.) LEROY DALE, *Mayor.*  
(Sgd.) F. L. HEATH, *Clerk.*

### SCHEDULE "B."

This agreement made this nineteenth day of January, in the year of our Lord, one thousand nine hundred and twenty-nine:

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF GEORGETOWN,  
hereinafter called "the Corporation"

of the first part;

and

SMITH & STONE, LIMITED,  
of the Town of Georgetown, in the County of Halton, hereinafter  
called "the Company"

of the second part.

Whereas the Company did establish in the Town of Georgetown the business of manufacturing electrical fittings and did subsequently establish a pottery in the said Town and did subsequently several times enlarge its plant and works, and steadily increase and continues to increase the number of its employees, whereby it did materially contribute to the prosperity and welfare of the residents of the said Town;

And whereas the Company having now carried on business in the Town of Georgetown for about ten years, has again found it necessary to enlarge and extend its plant and works and to further increase the number of its employees, but by reason of difficulties and disadvantages prevailing in the said Town is considering the establishment of another plant elsewhere than in the Town of Georgetown to take care of its requirements, for the purpose of enjoying more economical transportation facilities, maintaining a closer and better contact with its customers and availing itself of a more certain and a more constant supply of skilled as well as unskilled labour;

And whereas the Corporation, as a result of its experiences with the Company and its knowledge of the business of the Company, is desirous that the Company shall now enlarge and extend its plant and works in the Town of Georgetown in the hope and expectation that conditions in the said Town will so improve that the Company will find it possible and expedient to continue from time to time to enlarge and extend its plant and works in the said Town; and in the interests of its residents, the

Corporation

Corporation, as an inducement to the Company, has offered to fix the annual assessment of the Company and of its lands, buildings, plant, machinery and other property thereon and therein and to supply water to the Company free of any charge to or payment by the Company for a period of 10 years from January 1st, 1930, on the terms and conditions hereinafter set out.

Now this agreement witnesseth that in consideration of the premises, the parties hereto covenant, promise and agree as follows, that is to say:

1. The Corporation covenants, promises and agrees to and with the Company as follows, that is to say:

(a) The Corporation will pass and enact a by-law authorizing the completion of this agreement, fixing the annual assessment of the Company and of its property as well future as present, in the Town of Georgetown, upon which its factory and works are now or shall hereafter be situate (including lands, buildings, plant, machinery and other property thereon or therein) for the purposes of municipal taxation, including business and school taxes and rates, at the sum of fifteen thousand dollars (\$15,000) for a period of ten (10) years from and including the first day of January, one thousand nine hundred and thirty (1930) during which period the Company and its property shall be exempt from the payment of any municipal income tax or assessment and from any special taxes or assessments for any improvement or work of that class of improvements or works where the cost thereof is or would otherwise be charged against the lands specially benefited thereby and providing for the supply of water to the Company for and during the said period of ten (10) years to the extent of one hundred thousand (100,000) gallons per month free of any charge to or payment by the Company;

(b) The Corporation will submit the by-law to the qualified electors of the Town of Georgetown for their assent and, in the event of obtaining it, will cause an application to be made or consent to and support an application of the Company to the Legislature of the Province of Ontario to validate this agreement and the said by-law.

2. The Company covenants, promises and agrees with the Corporation as follows, that is to say:

(a) The Company, forthwith after this agreement and the said by-law shall have been validated, will proceed to extend and add to its buildings, plant and machinery and will within one year thereafter expend for that purpose the sum of at least thirty thousand dollars (\$30,000);

(b) The Company will operate its plant and works in the Town of Georgetown for such period of each year as the business carried on will warrant and will employ daily during such operations, except during Sundays and legal holidays and when the plant and works are unavoidably shut down or closed by reason of labour trouble, strikes, damage by fire, tempest or breakage or other causes beyond its control necessitating the cessation of operations, at least 150 employees during the year 1930, 160 employees during the year 1931, 170 employees during the year 1932, 180 employees during the year 1933, 190 employees during the year 1934 and 200 employees during the year 1935 and the following years up to and inclusive of the year 1939;

(c) The Company will pay for the preparation of this agreement and of the said by-law and the fees and expenses of and incidental to the hereinbefore mentioned application to the Legislature of the Province of Ontario.

3. The Corporation and the Company covenant, promise and agree to and with one another as follows, that is to say:

(a) It is made a condition of this agreement that the Company shall have no claim whatsoever against the Corporation for damages by reason of any deficiency in the water supply, when such deficiency

is caused by any breakage in the waterworks system or by any other cause beyond the control of the Corporation and that the Corporation shall have the right to shut off the supply of water to the Company in common with that of all water users in the municipality if the Corporation should find it necessary to do so for fire protection or otherwise; but the Corporation shall forthwith after learning of any breakage or interference with the water supply diligently cause the same to be repaired and made good;

(b) This agreement shall be null and void unless the duly qualified electors of the Town of Georgetown duly assent to the said by-law and unless the Legislature of the Province of Ontario validates the said by-law and this agreement;

(c) This agreement shall be binding upon and enure to the benefit of the successors and assigns of the respective parties hereto.

In witness whereof the corporate seals of the respective parties are hereunto affixed, attested by the hands of the proper officers in that behalf.

Signed, sealed and delivered  
in the presence of:

CORPORATION OF THE TOWN  
OF GEORGETOWN.

"W. G. MARSHALL."

"LEROY DALE," *Mayor*. (SEAL)

"F. L. HEATH," *Clerk*.

SMITH & STONE, LIMITED

"THOS. HANKIN."

"W. H. SMITH," *President*.  
(SEAL)

## CHAPTER 102

## An Act respecting the City of Guelph.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Guelph has by its <sup>Preamble</sup> petition represented that a certain by-law being number 1953 of the city of Guelph, was passed by the council of the said city submitting to the electors the question as to whether they were in favour of changing the system of local civic government by electing annually a mayor and eleven aldermen by a general vote of the electors; and whereas the said question was duly submitted to the qualified electors of the city of Guelph on the seventh day of January, 1929, and the said electors by a majority of the votes voted in favour of the said change; and whereas the council of the corporation of the city of Guelph is desirous of carrying into effect the change referred to in the said question and approved by the electors, as aforesaid; and whereas the said corporation has also, by its petition represented that it is desirous of issuing debentures of the said corporation to any amount up to \$178,000 bearing interest at the rate of four and one-half per centum per annum and payable at any time within ten years in order to pay off the amount owing by it under *The Ontario Housing Act, 1919*; and whereas the said corporation has by its petition prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Guelph Act, 1929*. <sup>Short title.</sup>

2. For the year 1930 and thereafter the council of the city <sup>Composition of council.</sup> of Guelph shall be composed of a mayor and eleven aldermen elected annually by a general vote of the qualified electors of the said city. The said election shall be held and conducted in accordance with the provisions of *The Municipal Act* <sup>Rev. Stat., c. 233.</sup> for the election of mayor and aldermen.

3. The council elected for the year 1930, in the manner <sup>Powers of council.</sup>

aforesaid,



aforesaid, and thereafter, shall possess and exercise all the powers and rights of the council of the said city for the year 1929.

Composition  
of Board of  
Light and  
Heat Com-  
missioners.

4.—(1) The Board of Light and Heat Commissioners of the city of Guelph shall consist of three members of whom the mayor shall *ex-officio* be one, and one of the others shall be appointed by the municipal council at its first meeting in each year and shall hold office for two years. For the year 1930 the third member of the said board shall be that one who has been appointed in the year 1929 for two years and he shall continue to hold office until the expiration of the term for which he was appointed. The commissioners to be appointed by the council as aforesaid shall not be members of the said council.

Powers of  
commission,  
Rev. Stat.,  
c. 249.

(2) The said commission when so constituted shall be a commission under the provisions of Part III of *The Public Utilities Act* and shall have and possess the control and management of the construction, operation and maintenance of all works undertaken by the city of Guelph for the distribution and supply of electrical power or energy and of gas, and all other matters or things incidental thereto, pursuant to the provisions in that behalf contained in *The Public Utilities Act* and *The Power Commission Act*.

Rev. Stat.,  
c. 57.

Clerk  
*ex-officio*  
member of  
committees  
and duties.

5. The clerk of the corporation of the city of Guelph shall be an *ex-officio* member of all committees of the council of the city with the right to take part in the discussion thereof, but without the right to vote upon any question; and it shall be the duty of the city clerk, in addition to all other duties imposed upon him under *The Municipal Act* or other Acts, to recommend from time to time to the various committees of the council for adoption such measures as he may deem necessary or expedient, and the said clerk shall at all times keep the said committee fully advised as to the financial and other needs of the corporation, and as to all work and matters pertaining to the work of the various committees of the said council.

Application  
of Rev. Stat.,  
cc. 233,  
249, 248.

6. The provisions of *The Municipal Act*, *The Public Utilities Act*, and *The Public Parks Act*, or any of them in respect of civic government within the city of Guelph shall apply except where inconsistent with the provisions of this Act.

Repeal of  
1924, c. 65,  
ss. 2, 3, 4, 5,  
6 and 7.

7. Sections 2, 3, 4, 5, 6 and 7 of the Act passed in 1924 and chaptered 65, shall be deemed to be repealed on and after the first day of January, 1930.

8. In order to pay the amount owing by the city of Guelph under *The Ontario Housing Act, 1919*, it shall be lawful for the council of the said city to pass a by-law at any time within five years from January 1st, 1929, for the issue of debentures to any amount not exceeding \$178,000 and bearing interest at the rate of four and one-half per centum per annum and payable at any time within ten years from January 1st, 1929. It shall not be necessary to submit any such by-law to the vote of the electors.

Power  
to raise  
\$178,000 for  
amount  
owing under  
1919, c. 54.

Assent of  
electors not  
required.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 103

## An Act respecting the City of Hamilton.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the Corporation of the City of Hamilton has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The City of Hamilton Act, 1929.*

Borrowing  
\$1,073,400  
for certain  
purposes  
without  
assent of  
electors.

**2.—(1)** The council of the corporation of the city of Hamilton may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing the sum of \$1,073,400 by the issue and sale of debentures payable at any time or times within twenty years, for the following purposes, namely:—

- |   |         |
|---|---------|
| (a) The acquiring of certain lands at Beach Road crossing on Burlington Beach, required in connection with the "Windermere Highway" to be constructed by the Department of Highways, the sum of . . .     | \$8,400 |
| (b) The acquiring of certain lands in the Township of Saltfleet for the establishing of an "Air Port or Harbour", and for the construction of runways and other works on said lands, the sum of . . . . . | 216,500 |
| (c) The construction of watermain from Hamilton watermain to the "Air Port or Harbour" lands, the sum of . . . . .  | 13,500  |
| (d) The construction of a bridge at Mary Street over the main line of the Canadian National Railways, the sum of . . . . .  | 60,000  |
| (e) The erection of an "Art Gallery" in the city, the sum of . . . . .  | 100,000 |

(f)

- (f) The acquiring of property on Burlington Heights in the city of Hamilton for the widening of York Street at the western entrance of the city, the sum of . . . . . \$100,000
  
- (g) For the completion of the Mountain Roadway from a point 400 feet east of Ferguson Avenue to the top of the mountain, south of Concession Street, and acquiring land necessary therefor, the sum of . . . . . 347,000
  
- (h) For continuing the construction of the Mountain Roadway easterly from Sherman Avenue along the mountain face to the mountain brow and acquiring additional land to provide for the maintenance of Mountain Park Avenue along said mountain brow, the sum of . . . . . 228,000

\$1,073,400

(2) It shall be the duty of the corporation of the city of Hamilton to construct the highway referred to in clause (h) of subsection 1 of this section forthwith after being required so to do by the Minister of Public Works and Highways, for the purpose of connecting it with a provincial highway, when designated pursuant to section 52 of *The Highway Improvement Act*. Duty of corporation to construct highway.  
Rev. Stat. c. 54.

3. The agreement made between the corporation of the city of Hamilton and International Airways of Canada, Limited, dated the 25th day of July, 1928, as set forth in schedule 1 to this Act is hereby ratified, and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder, and the council of the corporation of the city of Hamilton is hereby authorized to pass the necessary by-laws for acquiring and expropriating lands required for the Air Port or Harbour referred to in said agreement, pursuant to the provisions of *The Municipal Act*, and for carrying out the terms and conditions of such agreement. Agreement with International Airways of Canada, Ltd., confirmed.  
Rev. Stat., c. 233.

4. The agreement made between the corporation of the city of Hamilton and Canadian National Railway Company, dated the 10th day of April, 1928, as set forth in schedule 2 to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and privileges thereunder, and the council of

the

the corporation of the city of Hamilton is hereby authorized to pass the necessary by-laws for carrying out the terms and conditions of the said agreement.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

### SCHEDULE 1.

Memorandum of Agreement made this 25th day of July, 1928.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter called the "City Corporation"),

of the first part;

—and—

INTERNATIONAL AIRWAYS OF CANADA, LIMITED  
(hereinafter called the "Company"),

of the second part.

Whereas the City Corporation is desirous of establishing an "Air Port" near the eastern limits of the City and has agreed with the "Company" as hereafter set forth;

Now this agreement witnesseth that in consideration of the mutual covenants and agreements hereinafter reserved and contained and of the sum of One Dollar now paid by the Company to the City Corporation, the receipt whereof is hereby by it acknowledged, the said parties hereto hereby mutually covenant and agree each with the other as follows:—

1. The City Corporation shall, subject to the provisions of paragraph 8 hereof, purchase and acquire all and singular that certain parcel or tract of land situate, lying and being in the Township of Saltfleet, in the County of Wentworth, and being more particularly described in Schedule "A" annexed to and forming part of this Agreement.

2. After the said lands have been so acquired the City Corporation shall arrange for the carrying out of the following works:—

(a) Construct on the said lands runways for the use of aeroplanes according to the plan approved by the Company.

(b) Provide drainage to dispose of all surface water and a septic tank with necessary outlets for sanitary drainage.

(c) Arrange to place underground all wires on the said lands which the said Company request to have placed underground.

(d) Remove all obstructions thereon.

One-half of the cost of the work in this paragraph provided to be done shall be paid forthwith upon completion thereof by the Company to the City Corporation, the remaining one-half of the cost of the said work shall be borne by the City Corporation.

It is hereby expressly agreed that the City Corporation shall not be responsible in any way for the insufficiency of any of the said works or the manner of their construction.

3. The City Corporation shall after the said lands have been acquired construct a six-inch watermain to the corner of Dunsmore Road and Reid Avenue, from such existing watermain as the City Engineer shall decide, and shall supply to the Company on the said lands water from the City Corporation's watermains. The Company shall pay thereafter to the City Corporation annually an amount equal to ten per cent. on one-half of the cost of construction of the watermains in this paragraph provided to be laid.

The said last mentioned annual payments shall be subject to be reduced and shall be reduced by the amount of the revenue collected and received by the City Corporation from all water taken from the said watermain, over and above the amount required to pay the City Corporation its share of the ten per cent. required annually on the one-half cost of the said watermain borne by the City Corporation; provided the Company in any event pay to the City Corporation water rates which shall never be less than twenty cents per thousand gallons for all water supplied to and used by the Company, and such rates shall continue to be paid until such time as the said lands become part of the City of Hamilton, or until the said lands cease to be used as an Air Port, when the regular City water rates shall be paid by the Company or its assigns in place of the charge in this paragraph first mentioned of ten per cent. of one-half of the cost of construction of the said watermain.

4. The City Corporation in consideration of the covenants and agreements herein contained doth demise and lease unto the Company the said lands together with all improvements thereon;

To have and to hold the said demised premises for and during the term of Five years to be computed from the day on which the City Corporation gives notice to the Company that the Company may enter into possession of the said lands, and from thenceforth next ensuing and fully to be completed and ended.

Yielding and paying therefor forthwith on demand yearly and every year during the said term unto the City Corporation as follows:—

(a) For the first three years from the days said notice is given by the City Corporation to the Company a sum equal to one-half of the carrying charges to the City Corporation on all capital expenditures in connection with the purchase and improvement of the said lands as aforesaid, which carrying charges shall include taxes paid or payable on the said lands, interest on debentures issued by the City Corporation for expenditures on the said lands and the cost of and the loss on the debenture issue, but such carrying charges shall not include any capital payment on such debentures and shall not include the City Corporation's ten per cent. on one-half share of the cost of construction of the watermains as aforesaid; and

(b) For the remaining two years of the said term, the Company shall pay an amount equal to the whole of the said carrying charges.

5. The Company hereby covenants with the City Corporation:—

- (a) To pay rent;
- (b) And to pay taxes, including local improvements;
- (c) And to repair (damage by fire, lightning and tempest only excepted);
- (d) And to keep up fences;
- (e) And that the City Corporation may enter and view state of repair;
- (f) And that the company will repair according to notice in writing;
- (g) And will not assign or sublet without leave;
- (h) And that it will leave the premises in good repair (reasonable wear and tear and damage by fire, lightning and tempest only excepted);
- (i) Provided that the Company may remove its fixtures.
- (j) Proviso for re-entry by the said Corporation on non-payment of rent or non-performance of covenants.

The City Corporation covenants with the said Company for quiet enjoyment.

These

These covenants shall have the same effect as similar covenants in *The Short Forms of Leases Act*, R.S.O. 1927, Chap. 144.

6. The Company further covenants and agrees that it will forthwith after possession is given, establish and operate an adequate airport on said lands.

7. It is understood and agreed that the Company shall have the sole and exclusive option to purchase the said lands at any time within five years from the date hereof for an amount equal to the sum of money required to reimburse the City Corporation for all financial outlay of whatsoever nature in connection with the purchase of the said lands and the improvement thereof, which said outlay shall include the capital cost of debentures and the cost of all improvements on the said lands, but shall not include the ten per cent. of the one-half share of the cost of the said watermain borne by the Corporation.

8. This agreement shall not be binding on the City Corporation until the same shall have been ratified by the Legislature of the Province of Ontario, and power has been granted to the City Corporation by such Legislature to issue debentures for the amount necessary to carry out this agreement.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED,      THE CORPORATION OF THE CITY OF  
HAMILTON,  
in the presence of:      (SEAL) (Sgd.) W. BURTON, Mayor.

(Sgd.) S. H. KENT, *City Clerk*.

INTERNATIONAL AIRWAYS OF CANADA,  
LIMITED,  
(SEAL) (Sgd.) H. B. GREENING, *President*.  
(Sgd.) O. DENMAN, *Secretary*.

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*Schedule "A"*

ANNEXED TO AGREEMENT

DESCRIPTION OF LANDS REQUIRED FOR AIRPORT

PARCEL NO. 1—LANDS OF T. W. HAND AND R. B. HARRIS

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet in the County of Wentworth, in the Province of Ontario, being composed of all the lots and streets as laid out on registered plan No. 631, known as "Sunshine Park," being a subdivision of part of lot 32 in the Second Concession of the Township of Saltfleet, excepting lots 43 and 44, and that part of Roxborough Avenue immediately south of lot 44 in the said subdivision, (description by metes and bounds), containing by admeasurement forty-one and seven one-hundredths acres (41.07 acres) be the same more or less.

PARCEL NO. 2—LANDS OF EASTDALE PROPERTIES

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet in the County of Wentworth in the Province of Ontario, being composed of the northerly parts of lots 30 and 31 in the Second Concession of the said Township of Saltfleet: Firstly—That part of said lot 31 (the northerly part described by metes and bounds) containing by admeasurement forty-eight and forty one-hundredths acres (48.40 acres), be the same more or less. Secondly—The northerly part of the said lot 30 (description by metes and bounds); saving and excepting thereout and therefrom two parcels

of land, comprising respectively one acre and 2.42 acres and more particularly described in deeds Nos. 19777 and 16501 for the Township of Saltfleet, duly registered in the Registry Office for the Registry Division of Wentworth. The secondly above described parcel, excluding the said two parcels, containing by admeasurement thirty-four and fifty-one one-hundredths acres (34.51 acres), be the same more or less.

PARCEL NO. 3—LANDS OF H. AND R. FREEBURNE

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet, in the County of Wentworth, in the Province of Ontario, being composed of: Firstly—Part of lot 31, in the Second Concession of the said Township (description by metes and bounds), containing by admeasurement nine and twenty-seven one-hundredths acres (9.27 acres), be the same more or less. Secondly—Part of lot 30 in the Second Concession of the said Township (description by metes and bounds) containing by admeasurement, twenty-two and sixty-six one-hundredths acres (22.66 acres), be the same more or less.

PARCEL NO. 4—LANDS OF WM. TORRENCE

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet in the County of Wentworth, in the Province of Ontario, being composed of all of the lots and streets, excepting lots 184, 185, 208, 209, 210, 211, 218, and lot lettered "C," as laid out on registered plan No. 670, known as "Glenridge," being a subdivision of part of lots 31 and 32 in the Second Concession of the said Township of Saltfleet (description by metes and bounds) containing by admeasurement thirty and ninety-one one hundredths acres (30.91 acres), be the same more or less.

PARCEL NO. 5—LANDS OF WM. AND S. J. GORDON

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet, in the County of Wentworth, in the Province of Ontario, being composed of all of lots one hundred and eighty-four and one hundred and eighty-five (184 and 185), according to the plan of "Glenridge," being a subdivision of parts of lots 31 and 32 in the Second Concession of the said Township of Saltfleet which said plan was duly registered in the Registry Office for the Registry Division of Wentworth, as plan No. 670, on the 24th day of March, 1924.

PARCEL NO. 6—LANDS OF MARY DOUGLAS

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet, in the County of Wentworth, in the Province of Ontario, being composed of part of lot 31 in the Second Concession of the said Township (description by metes and bounds), containing by admeasurement two and one-half acres (2.50 acres), be the same more or less.

PARCEL NO. 7—LANDS OF MARTHA DOUGLAS

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet in the County of Wentworth, in the Province of Ontario, being composed of part of lot 31 in the Second Concession of the said Township which may be more particularly described as follows, that is to say:—

Commencing at a stake planted in the westerly limit of the said lot 31, being distant seven hundred and twenty-one feet and nine inches (721' 9") measured northerly thereon from the southwest angle of the said lot 31.

Thence south seventy-one degrees and fifty-two minutes east (S. 71° 52' E.) (ast.), a distance of three hundred and twelve feet (312' 0") to an iron bar planted.

Thence



Thence north sixteen degrees and thirty-one minutes east (N. 16° 31' E.), a distance of three hundred and forty-nine feet and eight and one-half inches (349' 8½") to a stake planted.

Thence north seventy-two degrees and three minutes west (N. 72° 03' W.) (ast.), a distance of three hundred and twelve feet (312' 0") to a stake planted in the westerly limit of lot 31.

Thence south sixteen degrees and thirty-one minutes west (S. 16° 31' W.) (ast.) along the said westerly limit of lot 31, a distance of three hundred and forty-eight feet and eight and one-half inches (348' 8½") more or less to the place of beginning.

The above described parcel of land containing by admeasurement two and one-half acres (2.50 acres), be the same more or less.

PARCEL NO. 8—LAND REQUIRED FROM THE TOWNSHIP OF SALT FLEET

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Saltfleet, in the County of Wentworth, in the Province of Ontario, being composed of all the unopened road allowance between lots 30 and 31 in the Second Concession of the said Township, which said road allowance is sixty-six feet (66') in width and extends from the northerly limit of the Hamilton and Queenston Provincial Highway to the southerly limit of the road allowance between Concession one and two (Barton St.) and contains by admeasurement five and six one-hundredths acres (5.06 acres).

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SCHEDULE 2

Agreement made this tenth day of April, A.D. 1928.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter called the "City"),

of the first part;

—and—

CANADIAN NATIONAL RAILWAY COMPANY  
(hereinafter called the "Railway"),

of the second part.

Whereas by P.C. 1108, dated the 8th day of June, 1927, approval was given the Railway for construction of a new station in the City of Hamilton;

And whereas the Railway is about to undertake such construction (hereinafter referred to as the "Works") with the necessary tracks and other facilities, and the City is desirous of facilitating such Works;

Therefore the parties have agreed as follows:—

1. The Railway will at its own expense construct and maintain bridges, and will construct approaches thereto at Bay, James, John and Catherine Streets. The City will at its own expense provide and maintain roadways on such bridges and approaches thereto.

2. The City will upon the request of the Chief Engineer of the Railway close Mary Street over the right-of-way of the Railway, or in the alternative the Railway will upon the request of the City, construct a bridge to carry said street over the tracks of the Railway. The entire cost of such construction and maintenance of such bridge and approaches to be borne by the City.

3. The City will forthwith close those portions of Macnab, Hughson and Stuart Streets as shown on attached plan, and will convey same to the Railway.

4. The City will forthwith and at the sole expense of the Railway acquire the land at the southwest corner of Macnab and Stuart Streets as shown on the said plan, for the purpose of diverting Stuart Street into Macnab Street.

5. The City when so requested by the Chief Engineer of the Railway, arrange for the temporary closing of Catherine, John, James and Bay Streets to enable the Railway to carry out the Works.

6. The City will upon the request of the Chief Engineer of the Railway reconstruct, alter or divert its sewers and watermains and such other municipal services at present occupying the streets within the limits of the Works, and will also order all other public utilities, including The Dominion Power & Transmission Company, Limited, and its subsidiaries, The Bell Telephone Company of Canada, and any other public utility or utilities to reconstruct, alter or divert their plant, tracks, etc., within the said limits of the Works. The apportionment of the cost of such reconstruction, alterations or diversions shall as between the parties hereto and the said public utilities be left to the decision of the Board of Railway Commissioners for Canada.

7. The City agrees that the Railway may at the sole expense of the City extend the existing outlets of the storm sewers on Queen Street and the sewer between Hess and Caroline Streets.

8. Subject to the approval, if necessary, of the Board of Railway Commissioners for Canada, the Works to be constructed pursuant to said P.C. 1108 shall be shown colored pink on drawing No. C. 4121, dated March 7th, 1928, attached hereto.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals as evidenced by the signatures of their proper officers.

SIGNED, SEALED AND DELIVERED

in the presence of:

(Sgd.) H. BARR.

THE CORPORATION OF THE CITY OF  
HAMILTON,

(SEAL) (Sgd.) W. BURTON, *Mayor*.

(Sgd.) S. H. KENT, *City Clerk*.

CANADIAN NATIONAL RAILWAY  
COMPANY,

(SEAL) (Sgd.) S. J. HUNGERFORD,  
*Vice-President*.

(Sgd.) S. B. QUINSBY,  
*Secretary*.

## CHAPTER 104

## An Act respecting the Town of Kenora.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the town of Kenora, and the trustees of the Kenora General Hospital have by petition represented that the hospital accommodation of the town of Kenora, which is the largest centre between the city of Winnipeg and the city of Fort William, has proved insufficient to afford the necessary facilities for medical and surgical attendance to the sick and afflicted of the town of Kenora, and the vast territory tributary thereto, and that it has been found necessary and expedient to enlarge the said hospital accommodation; that a plebiscite was submitted to the electors of the said town entitled to vote on money by-laws on Saturday the 26th day of May, 1928, as to whether the town should guarantee a bond issue of the said hospital to the amount of \$30,000, and that on the said plebiscite 292 votes were cast in favour thereof, and 125 against; and whereas the hospital was originally incorporated under the name "The Rat Portage Royal Jubilee Hospital Company," and that name was changed subsequently by order of the Lieutenant-Governor in Council to "The Kenora General Hospital"; and whereas the said corporation and the said trustees have by petition prayed for special legislation in respect of the above; and whereas subject to the provisions hereinafter contained, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to borrow.

1. The Kenora General Hospital may borrow money from time to time by the issue and sale of bonds or debentures whether secured by mortgage or charge on the property of the Hospital or not so secured.

Power to guarantee hospital bonds.

2. The council of the corporation of the town of Kenora may without obtaining any further assent thereto of the qualified electors of the said town guarantee the principal and interest on any bonds or debentures of the Kenora

General

General Hospital which may hereafter be issued to the amount of \$30,000, and such guarantee may be endorsed on the face of such bonds under the corporate seal and the hands of the mayor and clerk of the town, and the Kenora General Hospital may give to the corporation of the town of Kenora a mortgage or charge on the property of the Hospital as security for such guarantee.

**3.** In pursuance of the change of name above recited the local master of titles at Kenora is hereby directed to enter "The Kenora General Hospital" as the registered owner of the lands of which "The Rat Portage Royal Jubilee Hospital Company" is entered as the registered owner according to the records in his office.

Change of  
name to be  
entered in  
register.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 105

## An Act respecting the Town of Leamington.

*Assented to 28th March, 1929.*

Preamble.

Rev. Stat.,  
c. 241.

**W**HEREAS the corporation of the town of Leamington has by its petition represented that the council of the said corporation, pursuant to the provisions of *An Act respecting the Town of Leamington*, passed in 1927, and chaptered 116, and *The Municipal Drainage Act*, on the 9th day of January, 1928, passed its By-law No. 1255 intituled "A By-law to provide for drainage work in the township of Mersea in the county of Essex and for borrowing on the credit of the municipality of the town of Leamington, in the county of Essex, the sum of \$63,339.00, the proportion to be contributed by said municipality of the town of Leamington for completing the same"; that the approval and consent of the Minister of Health to the plans and specifications for the work mentioned in the said by-law was duly procured, as required by the said first mentioned Act, and that the said work has been completed according to the said plans and specifications; that doubts have arisen as to the validity of the said by-law and it is desirable that the said by-law and all debentures issued or to be issued under the authority thereof should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Leamington Act, 1929*.

By-law 1255  
and debentures  
confirmed.

**2.** By-law No. 1255, passed by the council of the corporation of the town of Leamington on the 9th day of January, 1928, and all debentures issued or to be issued under the authority of the said By-law No. 1255, are hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation of the town of Leamington and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 106

## An Act respecting the City of London.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of London has Preamble.  
by its petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is ex-  
pedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

1. This Act may be cited as *The City of London Act, 1929.* Short title.

2. The corporation of the city of London may pass a Borrowing  
by-law to borrow, and may borrow, a sum not exceeding \$300,000  
\$300,000, and may issue debentures therefor for any period to meet  
not exceeding twenty years from the date thereof, and at deficits in  
such rate of interest not exceeding five per cent. per annum operation of  
as the council of the corporation of the city of London may London &  
determine, to provide moneys to pay for the deficit in recent Port Stanley  
years in the operation by the corporation of the city of London Railway.  
of the London and Port Stanley Railway, without submitting  
the by-law to the electors of the said city for their assent.

3. The corporation of the city of London may pass a Borrowing  
by-law to borrow, and may borrow, a sum not exceeding \$65,000 for  
\$65,000, and may issue debentures therefor for any period improve-  
not exceeding twenty years from the date thereof, and at ments in  
such rate of interest not exceeding five per cent. per annum railway  
as the council of the corporation of the city of London may yards at Port  
determine, to provide moneys to pay for the improvements Stanley.  
made and to be made in the yards of The London and Port  
Stanley Railway Company at the village of Port Stanley,  
in the county of Elgin, without submitting the by-law to the  
electors of the said city for their assent.

4. The corporation of the city of London may pass a Borrowing  
by-law to borrow, and may borrow, a sum not exceeding \$146,000 to-  
\$146,000, and may issue debentures therefor, for any period wards cost of  
not exceeding twenty years from the date thereof, and at erection of  
such Confederation  
Building in  
Queen's  
Park.

such rate of interest not exceeding five per cent. per annum as the council of the corporation of the city of London may determine, to provide moneys to pay for the balance due for the erection of the Confederation building in Queen's Park, in the said city of London, after applying in part payment thereof the sum of \$60,366.01 received from the insurance companies for loss by fire of the main building, and \$975 from the sale of old material in the said building in Queen's Park aforesaid, to pay the cost of the erection of the Administration building erected in Queen's Park aforesaid, to pay for the improvements made in the Manufacturers' building in Queen's Park aforesaid, to pay for the pavements laid in Queen's Park aforesaid and to pay for the site of the said Administration building in Queen's Park aforesaid, without submitting the by-law to the electors of the said city for their assent.

Borrowing  
\$104,000 for  
Ontario  
Live Stock  
Arena.

5. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$104,000, and may issue debentures therefor, for any period not exceeding ten years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the corporation of the city of London may determine, to provide moneys to pay for the Ontario Live Stock Arena building erected in Queen's Park, in the said city of London, without submitting the by-law to the electors of the said city for their assent.

Borrowing  
\$50,000 for  
erection of  
Poultry  
Building.

6. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$50,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the corporation of the city of London may determine, to provide moneys to pay for the erection of a building in Queen's Park aforesaid, for the exhibition of poultry, without submitting the by-law to the electors of the said city for their assent.

Borrowing  
\$35,000 for  
heating  
plant in  
Victoria  
Hospital.

7. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$35,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the corporation of the city of London may determine, to provide moneys to pay for the new heating plant installed in Victoria Hospital in the said city of London, without submitting the by-law to the electors of the said city for their assent.

**8.** An alderman of the city of London shall not be eligible to be elected mayor of the said city unless he has with his declaration of qualification, filed his resignation with the clerk of the corporation of the city of London.

Resignation  
of alderman  
before  
eligible as  
candidate for  
mayoralty.

**9.** The words "the unsuccessful candidate who received the highest number of votes at the next preceding election," contained in section 165 of *The Municipal Act*, have since the passing of *The City of London Act, 1925*, referred, and do refer, to the unsuccessful candidate who received the highest number of votes at the election at which the alderman whose office becomes vacant was elected.

Meaning  
of certain  
words in  
s. 165 of  
Rev. Stat.,  
c. 233.

**10.** Section 20 of *The City of London Act, 1927*, is hereby repealed.

1927, c. 117,  
s. 20,  
repealed.

**11.** It shall not be necessary for the said corporation to observe, in respect of any of the by-laws mentioned in sections 2, 3, 4, 5, 6 and 7 of this Act, the formalities prescribed by *The Municipal Act*, in relation to the passing of money by-laws.

Formalities  
prescribed  
by Rev.  
Stat., c. 233,  
not to apply.

**12.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Irregularity  
in form  
not to  
invalidate.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.



## CHAPTER 107

## An Act respecting the Town of Meaford.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS the corporation of the town of Meaford has by its petition represented that by-law number 27, A.D. 1928, has been submitted to the electors of the corporation duly qualified to vote thereon in accordance with the provisions of *The Municipal Act*; and that of the electors who voted on said by-law, 517 voted in favour thereof and 80 against; and that the said by-law was subsequently passed by the affirmative vote of all the members of the council of said corporation; and whereas the corporation has by its said petition prayed that the said by-law should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Town of Meaford Act, 1929.*

By-law  
No. 27 and  
agreement  
with Henry  
Isaac Price  
confirmed  
subject to  
provisions  
of Act.

**2.** Subject to the provisions of section 3 hereof, by-law number 27, A.D. 1928, of the corporation of the town of Meaford (hereinafter called the corporation) and the agreement therein referred to, dated the 19th day of October, 1928, between the corporation and Henry Isaac Price, both of which said by-law and agreement are set forth in Schedule "1" hereto are hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation and the rate-payers thereof and the said Henry Isaac Price, his executors, administrators and assigns.

Construction  
of agree-  
ment.

**3.** The said agreement shall be construed and read as if the following changes had been made therein and thereto:

(a) All the words in the second recital after the words "and whereas" down to, and including, the words "vessels and" stricken out.

(b)

- (b) Clause 1 stricken out and the following substituted therefor:

"1. The said corporation shall, subject to the provisions hereinafter contained, erect a grain elevator of modern design and substantial concrete construction with a storage capacity of not less than one million (1,000,000) bushels, on lands now owned or to be acquired by the corporation agreeable to the purchaser and the corporation within the limits of said corporation. All moneys, if any, required to complete the said elevator in accordance with the provisions hereof over and above the sum of four hundred thousand (\$400,000) dollars and the sum of fifty thousand (\$50,000) dollars to be paid by the purchaser as hereinafter provided, shall be supplied and paid by the purchaser from time to time as the same may be required."

- (c) Clause 5 stricken out and the following substituted therefor:

"5. The corporation shall have power and authority to enter into a contract or contracts for the construction of said elevator or any part or parts thereof."

- (d) All the words in clause 14 after the words "local improvements" stricken out.

4. The corporation may purchase or lease or otherwise acquire and pay for lands for a site for the grain elevator mentioned in the said agreement and may convey or transfer the lands so acquired or any other lands held by the corporation (subject to the terms of the said agreement) to the said Henry Isaac Price or his assigns. All moneys expended in the acquiring of the lands for the said site shall form part of the cost of the said elevator mentioned in paragraph 11 of the said agreement.

Power to acquire land for site and convey same to purchaser.

5. The judge of the county court of the county of Grey on the application of either party to the said agreement may appoint an additional member to the committee mentioned in paragraph 2 of the said agreement.

Appointment of additional member of committee.

6. The mortgage mentioned in paragraph 16 of the said agreement shall secure repayment to the corporation of the purchase money with interest thereon in twenty-five annual

Mortgage securing payment of purchase money.

instalments equal to the amounts falling due in each year for principal and interest in respect of the debentures issued by the corporation under the said by-law, and such instalments of principal money and interest shall be a fixed charge upon the gross earnings and receipts of the said elevator.

Con-  
firmation of  
debentures.

**7.** The debentures issued or to be issued under the provisions of the said by-law number 27 are hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof; and the corporation and the said Henry Isaac Price and The Terminals Company referred to in the said agreement when incorporated are and each of them is hereby authorized and empowered to enter into all agreements, execute all documents, and to do all acts and things necessary or convenient for the fulfilment and proper carrying out of the said by-law and agreement.

Irregularity  
in form not  
to invalidate.

**8.** No irregularity in the form of the said debentures or any of them or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Extension  
of time for  
completion  
of elevator.

**9.** The parties to said agreement shall have full power and authority to enter into a further agreement extending the time for commencing and completing the construction of said elevator provided for in the said agreement.

Railway  
tracks on  
highways  
to serve  
elevator.

**10.** The corporation may grant to any railway company or companies the right to use or occupy any highways or lands of the municipality and to construct and operate a railway thereon for the purpose of serving the said grain elevator upon such terms and conditions as may be agreed upon.

Commence-  
ment of  
Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "1"

## THE CORPORATION OF THE TOWN OF MEAFORD

## BY-LAW No. 27, A.D. 1928

For confirming a certain Agreement between the Corporation of the Town of Meaford and Henry Isaac Price, of the City of Toronto, Gentleman, providing for the erection of a Grain Elevator and to authorize the issue of debentures.

Whereas it is desirable and expedient to erect a grain elevator in the Town of Meaford under the authority of Subsection 24 of Section 396 of *The Municipal Act*.

And whereas it is desirable and expedient to confirm a certain Agreement, dated the 19th day of October, A.D. 1928, between the Corporation of the Town of Meaford and Henry Isaac Price, of the City of Toronto, Gentleman, respecting the said grain elevator, which Agreement is set forth and contained in Schedule "A" to this By-law annexed.

And whereas for the said purpose it will be necessary to borrow on the credit of the Corporation and to issue debentures to the amount of \$400,000, which is the amount of the debt intended to be created by this By-law, the proceeds of the said debentures to be applied to the said purpose and to no other.

And whereas the amount of the whole rateable property of the Municipality according to the last revised Assessment Roll thereof is \$1,408,413.36 (exclusive of property assessed at \$61,800 liable for School Rates only).

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement debts) is \$162,130.39 secured by special rates or assessments (exclusive of debts amounting to \$71,022.16 which are being defrayed from other revenues) and no portion of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the Town of Meaford enacts as follows:—

1. It shall be lawful for the Corporation of the Town of Meaford to enter into the said Agreement (set forth in Schedule "A" to this By-law, and which is hereby incorporated in this By-law as part hereof) and for the Corporation to execute and carry out the terms and provisions of the said Agreement.

2. The Mayor and Treasurer of the Corporation shall issue debentures and borrow on the credit of the Corporation the sum of \$400,000, bearing interest at five and one-half per cent. per annum payable half-yearly.

3. The said debentures shall be issued in sums of not less than \$50 each and may be issued in sets of such amounts and at such times as the circumstances may require but so that the first of the sets shall be issued within two years and all of them within five years after the passing of this By-law.

4. All the said debentures shall bear the same date except where they are issued in sets and in that case every debenture of the same set shall bear the same date and may bear date at any time within the period of two years or five years, as the case may be, mentioned in clause 3 of this By-law.

5. The whole debt and the debentures to be issued therefor shall be payable within the period of twenty-five years at furthest from the time when the debentures are issued.

6. The said debentures shall be sealed with the seal of the Corporation

and signed by the Mayor and the Treasurer, and shall have coupons for the interest attached to them which shall be signed by the Treasurer and his signature to them may be written, stamped, lithographed or engraved and the debentures may be made payable to bearer or to a named person and may contain any clause providing for the registration thereof authorized by *The Municipal Act*.

7. The instalments of principal payable yearly shall be of such amounts that with the interest in respect of the debt payable annually or semi-annually the aggregate amount payable for principal and interest in each year shall be as nearly as possible the same.

8. During the currency of the debentures or any set of them there shall be raised in each year in which an instalment becomes due by a special rate on all the rateable property in the said Municipality such sum as shall be sufficient to pay it when and as it becomes due, and (subject to any change in the amount to be raised or in the rate of interest and in the amount to be raised annually as may be authorized or approved by the Ontario Railway and Municipal Board under Sections 300 or 301 of *The Municipal Act*) the amounts of principal and interest payable in each year shall be as set forth in Schedule "B" to this By-law annexed which shall be incorporated in and read as part of this By-law.

9. The debentures as to both principal and interest may be expressed in Canadian currency or Sterling money of Great Britain at the rate of One Pound Sterling for each four dollars and eighty-six and two-thirds cents and may be payable at any place or places in Canada or Great Britain.

10. The moneys payable to the said Corporation under clause 11 of the said annexed Agreement and secured by the Mortgage therein mentioned shall be applied in payment of the said instalments of principal and interest of the said debt which shall be a first charge on the said moneys.

11. This By-law shall come into force and take effect immediately upon the final passing thereof.

Finally passed the fourth day of December, A.D. 1928.

L.S.

GEO. G. ALBERY, *Town Clerk*.

GEORGE MCCAGUE, *Mayor*.

### *Schedule "A"*

Memorandum of Agreement made this 19th day of October, A.D. 1928.

BETWEEN:

THE CORPORATION OF THE TOWN OF MEAFORD,  
hereinafter called the "Corporation,"

of the first part;

—and—

HENRY ISAAC PRICE, *of the City of Toronto, in the  
County of York, Gentleman,*  
hereinafter called the "Purchaser,"

of the second part.

Whereas to facilitate the transportation of grain from the West to the Seaboard by way of the Great Lakes, and for Local Trade, facilities for the transshipment and temporary storage of grain are required at the Port of Meaford.

And whereas the Corporation is authorized under the provisions of Paragraph 24 of Section 396 of *The Municipal Act* to finance grain elevators for discharging or loading vessels, and it is in the interest of the said

Corporation

Corporation that an elevator should be erected at said Port for the purpose of providing said facilities.

And whereas the said Purchaser agrees to form a Company, under the name of Meaford Terminals, Limited, or such other name as the Lieutenant-Governor in Council may approve of (hereinafter called the "Terminal Company"), which will agree to purchase the said elevator from the said Corporation, upon completion thereof, and thereafter to operate to the greatest possibility of the Grain Trade and maintain the same on the terms and conditions hereinafter set forth.

Now this indenture witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said parties severally contained, the said parties hereby covenant, promise and agree each with the other of them, as follows:—

1. The said Corporation shall, subject to provisions hereinafter contained, advance to the Purchaser the necessary funds (not to exceed \$400,000) for the erection of a Grain Elevator of modern design and substantial concrete construction, with a storage capacity of not less than 1,000,000 bushels of grain, on lands now owned or to be acquired by the Corporation, agreeable to the Purchaser and the Corporation within the limits of the said Town: The intention being that the Corporation will advance the cost less the sum of \$50,000 to be borne by the Purchaser but the limit of the amount to be advanced by the Corporation is the sum of \$400,000, and the Purchaser will advance \$50,000 of the cost and all the cost over \$400,000.

2. Plans and specifications of the said elevator shall be submitted to a Committee of four persons, two of whom shall be appointed by the Corporation and two by the Purchaser, with power to substitute from time to time, and the said plans and specifications shall be approved and accepted by said Committee or a majority of them, before the construction shall be proceeded with, under this Agreement, including any alterations made thereafter.

3. The said elevator shall be built in a good substantial and workmanlike manner, under the supervision of a competent Engineer to be approved of by said Committee.

4. The said elevator shall have railway connection and proper facilities for unloading boats and loading into railway cars, and all railways now or thereafter entering the said Town shall have access to the said elevator, on reasonable terms, for the purpose of carrying grain to and from said elevator.

5. The Corporation shall from time to time advance to the Purchaser moneys required in connection with the erection of said elevator, or otherwise expended under the provisions hereof. Such advances to be made on progress estimates furnished by said Engineer.

6. The said elevator shall be provided with a modern marine leg, capable of handling and unloading at least 25,000 bushels of grain per hour, and shall be furnished with such ample plant, and machinery, as shall be necessary to operate said marine leg, to its full capacity.

7. The said elevator shall be operated as a Public Elevator.

8. The charges for elevating, unloading, storing and turning of grain, shall not be in excess of similar charges for such service made at other Lake Huron and Georgian Bay ports.

9. The Purchaser agrees to maintain and operate the said elevator for a period of twenty-five years and make all necessary repairs to keep it up to standard, to the satisfaction of the Corporation, and in the event of default, the Corporation may make the repairs and charge same to the Purchaser and on demand the cost of same shall be paid by the Purchaser.

10. The construction of the said elevator shall be commenced as early

as possible in the spring of 1929 and be thereafter proceeded with, with all due diligence, the idea being to secure the final completion and operation of the elevator before the 15th of September, 1929.

11. When and so soon as the said elevator has been satisfactorily completed with all necessary railway connections and appurtenances ready for operation in all respects both by rail and water at full capacity, the Corporation shall sell and the Purchaser shall buy the said lands and the elevator erected thereon and all appurtenances connected therewith at a price equal to the total cost of the same to the Corporation, including the cost of said lands, the money advanced for the construction of said elevator and all expenses necessarily and properly incurred by the Corporation in connection with said elevator or under this Agreement, together with interest thereon. Said price to be payable as follows: \$50,000 in cash and the balance (which in no event shall exceed \$400,000) in instalments equal to and payable as nearly as may be at the same times and in the same manner as the debentures issued by the Corporation for the moneys required to defray its expenditure hereunder are payable.

12. Upon payment of the said sum of \$50,000 in cash the Purchaser shall be put in complete possession of said elevator and the appurtenances connected therewith.

13. Should the cost of said elevator exceed the sum of \$400,000 such excess shall be paid and borne by the Purchaser.

14. The said elevator, the lands, and the docks in connection therewith, for ten years next following the taking over of the said elevator by the Purchaser, shall be assessed at not more than \$50,000 but such fixed assessment shall not affect taxation for school purposes or local improvements, and the said Town shall supply all water required for fire protection and for the operation of the said elevator, free of charge, for the said period of ten years.

15. The Purchaser agrees to insure, to the satisfaction of the Corporation, the said elevator to the full insurable value, and shall deposit the policies with the Treasurer of the said Corporation, with loss, if any, made payable to the Corporation and such insurance shall be effected through underwriters or agents residing in said Town.

16. Upon payment by the Purchaser of the said cash payment of \$50,000 the Corporation shall and will convey and assure, or cause to be conveyed and assured, to the Purchaser, the said lands and the elevator erected thereon and all appurtenances connected therewith, by good and sufficient deeds, conveyances, assignments and transfers, and the Purchaser shall contemporaneously with the delivery of such deeds, conveyances, assignments and transfers, deliver to the Corporation a good and valid First Mortgage, on the said property, securing payment of the balance of the said purchase money, at the time and in the manner herein provided for, and such Mortgage shall provide that the instalments or payments thereby secured shall be a first charge upon the gross earnings and receipts of the said elevator.

17. The debentures to be issued by the Town shall run for a period of twenty-five years, the interest not exceeding five and one-half per centum per annum on the said debentures to be payable half-yearly, and the instalments of principal money to be paid annually to be computed from the date of the issue of the debentures.

18. The said Corporation shall, by its Council as soon as possible, procure to be submitted to the electors of the Municipality under the provisions of *The Municipal Act*, a By-law authorizing the erection of the said elevator, the issue of the debentures to defray the cost of construction of the same and the sale of the said elevator to the Purchaser, when completed.

19. In case said By-law is assented to by said electors, the Corporation shall by its Council, pass the said By-law and in case the said By-law shall not on submission receive the assent of the electors as required by *The*



*Municipal Act*, then this Agreement and said By-law shall be null and void and of no effect.

20. The said Corporation will endeavour to procure from the Dominion Government, all necessary dredging and harbor work for the proper erection and operation of the said elevator, including a ship channel from open water to the elevator docks and a turning basin for the safe passage of vessels drawing twenty feet of water.

21. The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

22. This Agreement is conditional, on assurance satisfactory to the Purchaser, being received that the dredging and harbor work required in connection with said elevator, will be performed by the Government.

23. In case of default by the Purchaser of any of the terms hereinbefore mentioned of this Agreement, for the term of one year, formal notice may be given by the Corporation to the Purchaser, of such default, and on the expiry of sixty days thereafter, unless in the meantime the default is remedied, the Corporation may terminate and cancel this Agreement and the property shall revert to the Corporation.

24. It is understood and agreed that the said Purchaser shall co-operate with the said Corporation, in having the construction company employ local labour and purchase material and supplies from local dealers.

25. Upon the confirmation of said By-law by the Legislature the Purchaser shall proceed to organize said Terminal Company and upon the organization thereof shall assign this Agreement to the said Terminal Company and thereupon this Agreement and any agreement made pursuant thereto, shall enure to the benefit of and be obligatory upon said Terminal Company; and this Agreement shall be construed and read in all respects as if the said Terminal Company had been originally a party thereto and named as the Purchaser therein, and the Purchaser named herein shall thereupon be free from any and all liabilities hereunder, upon the said Incorporated Company agreeing with the said Corporation, to assume the obligations to the Purchaser, as hereinbefore set forth.

26. In the event of the destruction or partial destruction of the said elevator by fire or otherwise and the said elevator not being rebuilt or such partial destruction not being wholly restored within the period of two years from the date of such destruction or partial destruction, then and in such case the lands or so much thereof as are now owned by the Corporation or hereafter purchased by the Corporation shall revert to and become absolutely revested in the Corporation with all fixtures and structures and residue of the said elevator on the said lands saving and except such portion of the said lands as shall have been granted by the Canadian National Railway.

27. The Purchaser agrees, as to the earnings of the said elevator, that no division of profits or earnings either by way of dividends or bonus or both combined or in any other way shall be made in each or any year unless and until a reasonable sum shall have been set aside from the earnings as a reserve or rest fund to meet the annual payments under the said mortgage to the Corporation in the following year.

28. This Agreement shall not become binding on the Corporation unless and until the Corporation shall have sold and received the proceeds of the said debentures at a rate or rates, price or prices satisfactory to the Corporation and the Purchaser or shall have secured a satisfactory contract for the purchase thereof; and any discount in the sale of said debentures shall be included in the cost of said elevator.

29. As security for the payment of the said sum of \$50,000 by the Purchaser under this Agreement as aforesaid the Purchaser agrees that he will deposit in some trust company carrying on business in Ontario, securities to the said amount of \$50,000 satisfactory to the Corporation.



In witness whereof the said Corporation has affixed its Corporate Seal, attested by the hands of the Mayor and Clerk, and the said Purchaser has hereunto set his hand and seal.

(Sgd.) GEORGE MCCAGUE, *Mayor*

(Sgd.) GEO. G. ALBERY, *Clerk.*

(Sgd.) H. I. PRICE. (L.S.)

SIGNED, SEALED and DELIVERED,

in the presence of:

(*Corporate Seal*)

(Sgd.) T. A. NEELY.

(Sgd.) R. GLADSTONE ALBERY.

### Schedule "B"

Referred to in the annexed By-law showing the amounts of instalments of interest and principal payable in each year respectively:

Year	Interest	Principal	Equal Annual Payment
1.....	\$22,000 00	\$7,819 74	\$29,819 74
2.....	21,569 91	8,249 83	29,819 74
3.....	21,116 17	8,703 57	29,819 74
4.....	20,637 48	9,182 26	29,819 74
5.....	20,132 45	9,687 29	29,819 74
6.....	19,599 65	10,220 09	29,819 74
7.....	19,037 55	10,782 19	29,819 74
8.....	18,444 52	11,375 22	29,819 74
9.....	17,818 89	12,000 85	29,819 74
10.....	17,158 84	12,660 90	29,819 74
11.....	16,462 49	13,357 25	29,819 74
12.....	15,727 85	14,091 89	29,819 74
13.....	14,952 79	14,866 95	29,819 74
14.....	14,135 11	15,684 63	29,819 74
15.....	13,272 45	16,547 29	29,819 74
16.....	12,362 35	17,457 39	29,819 74
17.....	11,402 20	18,417 54	29,819 74
18.....	10,389 23	19,430 51	29,819 74
19.....	9,320 55	20,499 19	29,819 74
20.....	8,193 10	21,626 64	29,819 74
21.....	7,003 63	22,816 11	29,819 74
22.....	5,748 75	24,070 99	29,819 74
23.....	4,424 84	25,394 90	29,819 74
24.....	3,028 12	26,791 62	29,819 74
25.....	1,554 58	28,265 16	29,819 74
	\$345,493 50	\$400,000 00	

## CHAPTER 108

## An Act respecting the Township of Nepean.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the township of Nepean Preamble. has by its petition prayed for special legislation: (a) For the establishment, enlargement, reduction, amalgamation and subdivision of sewer areas and water areas in designated portions of the township; the construction of sewerage systems and sewage disposal works and waterworks systems to serve the sewer areas and water areas so set apart; the assessment of the cost of said works, except works undertaken pursuant to the provisions of *The Local Improvement Act*, upon all the rateable property in the area or areas to serve which such works have been constructed, and the issue of debentures to meet the cost of said works; (b) For entering into agreements with other municipalities for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and accessories in connection therewith for the joint use of any sewer area or areas and such other municipalities, and for entering into agreements with other municipalities for the admission of sewage from such other municipalities into the sewers and sewerage works of the township, or for admission of sewage from the township into the sewers or sewerage works of such other municipalities; (c) For entering into agreements with other municipalities and corporations for the construction, enlargement, extension, improvement, operation and maintenance of waterworks systems, plant, appliances and accessories in connection therewith for the joint use of any water area or areas with such other municipalities and for a supply of water to serve any sewer areas and water areas hereafter set apart and established pursuant to the provisions of this Act; (d) For providing that all rates imposed under the legislation hereinbefore set out shall be deemed local improvement rates for the purpose of section 306 of *The Municipal Act*; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Nepean Act, 1929*.

Establishment of sewer and water areas.

2. The council of the township of Nepean may from time to time pass by-laws to set apart and establish as a sewer area or as a water area any portion of the township described in such by-law, and to construct, enlarge, extend, improve and operate sewerage systems and sewage disposal works within or outside of any sewer area or areas to serve such sewer area or one or more sewer areas or lands situate therein, and to construct, enlarge, extend, improve and operate waterworks systems within or outside of any water area or areas to serve such water area or one or more water areas or lands situate therein.

How cost to be assessed.

3. The entire cost of the construction, enlargement, extension, improvement, operation, maintenance, management and repair of any such sewerage systems or sewage disposal works or of any such waterworks systems, save and except such works as are undertaken pursuant to the provisions of *The Local Improvement Act* as hereinafter provided, shall be assessed upon all the rateable property in the area or areas to serve which such works have been undertaken, provided that where such works are undertaken to serve more than one area the council shall by by-law determine the portion of the cost thereof to be borne by each of such areas, and the revenues arising from the operation of any such work shall form a special fund for the use of the area or areas to serve which such work has been undertaken in such manner that the revenue from any work shall be allocated to the area or areas in the same proportion as they contribute to the cost of its construction.

Rev. Stat., c. 235.

Thirty year debentures for portion of cost.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Works to be undertaken as local improvements with certain exceptions.

5. The council may undertake within any sewer area or areas the construction of sewers and necessary appliances and accessories and private drain connections and within any water area or areas the construction of waterworks, water-mains and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Rev. Stat., c. 235.

- (a) Except as in this section otherwise expressly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's

portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting on or served by the work.

- (b) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.
- (c) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon, levied and collected from the land abutting directly on or served by the sewers or watermains constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such sewers or watermains and that the remainder of the cost, if any, not provided for by such annual rate, shall be borne by the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the sewer or watermains the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law shall not be repealed or amended except by a vote of three-fourths of all the members of the council.
- (d) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of sewers or watermains, it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the annual special rate per foot frontage.
- (e) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof.

(f)

- (f) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting on or served by such work.

Temporary advances to meet cost of work and issue of debentures.

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be necessary to repay such advances and to defray the cost of the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed.

Levy of general rate to meet deficiencies.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed from the rates imposed thereon.

Application of certain sections of Rev. Stat., c. 235.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works authorized hereunder and the issue of debentures authorized by this Act.

Enlarge-ment or reduction of defined areas.

9. The council of the township of Nepean may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law.

Agreements with other municipalities as to sewage disposal works.

10.—(1) The council of the township of Nepean may enter into agreements with any other municipality or municipalities and any other municipality or municipalities may enter into agreements with the township of Nepean for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and

accessories in connection therewith for the joint use of any sewer area or areas and such other municipality or municipalities, and the portion of the cost of the construction, enlargement, improvement and extension of such works and of the operation and maintenance thereof payable by the corporation of the township of Nepean as fixed by such agreements shall be levied upon all the rateable property in such sewer area or areas as the case may be, as provided in section 3 hereof, and the revenue payable to the township under any such agreement shall be credited to the sewer area which has been charged with the cost of constructing, extending, operating and maintaining the said works, or if more than one area, then to such areas in proportion to their respective shares of the cost of such construction, enlargement, improvement, extension, operation and maintenance.

(2) The council of the corporation of the township of Nepean and the council or councils of any other municipality or municipalities may enter into agreements for the admission of sewage from the said township of Nepean into the sewers and sewerage works of such other municipality or municipalities, and all costs, charges and expenses in connection therewith may be levied on all the rateable property in the area benefitted thereby, or if more than one area, then on all the rateable property in such areas in such proportion as the council may by by-law determine.

(3) The council of the corporation of the township of Nepean may enter into agreement with the council or councils of any other municipality or municipalities for the admission of sewage from such other municipality or municipalities into the sewers and sewerage works of the said township of Nepean, and in such event the revenue arising therefrom shall be credited to the sewer area of the township into whose sewers or works the sewage is admitted, or if more than one area then to such sewer areas in such proportion as the council may by by-law determine.

**11.** The municipal corporation of the township of Nepean may enter into agreements and contracts with any other municipal corporation or corporations for a supply of water to serve the sewers and sewerage systems and waterworks systems constructed, maintained and operated under the authority of this Act and all costs, charges and expenses in connection therewith may be levied on all the rateable property in the area benefitted thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

**12.** It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of

this Act, but no by-law to set apart and establish as a sewer area or as a water area any portion of the township or to apportion the cost of any work between two or more areas or parts thereof, and no by-law passed under the provisions of section 9 shall be effective until approved by order of the Railway and Municipal Board and when so approved such by-law shall be valid and binding.

Installation  
of sanitary  
conveni-  
ences.

**13.** Where the local board of health recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the municipality may install suitable sanitary conveniences at the expense of the owner and the board may direct that the cost, including interest at a rate not exceeding six per cent. per annum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period not exceeding five years, and thereupon such annual payments shall be added by the clerk of the municipality to the collector's roll and collected in like manner as municipal taxes.

Rates not to  
be counted  
for purposes  
of Rev.  
Stat., c. 233,  
s. 306.

**14.** All rates levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and amending Acts and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and one-half cents on the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306.

Commence-  
ment of  
Act.

**15.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 109

## An Act respecting the City of Niagara Falls.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Niagara Falls <sup>Preamble.</sup> has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The City of Niagara Falls Act*, <sup>Short title.</sup> 1929.

**2.**—(1) All sales of land within the municipality of the city of Niagara Falls made by the treasurer of the city of Niagara Falls prior to the 31st of December, 1927, purporting to be made for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor and treasurer of the city of Niagara Falls purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the corporation of the city of Niagara Falls shall have the effect of vesting the lands so sold in the purchaser or his assigns or his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold. <sup>Tax sales and deeds, confirmed.</sup>

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

**3.** The council of the corporation of the city of Niagara Falls may pass by-laws for declaring Victoria Avenue or any part of Victoria Avenue to be a business street and for prescribing the distance from the line of the street in front of it at which no building on such business street may be erected or placed. <sup>Power to declare Victoria Ave. a business street.</sup>



(a) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.

(b) It shall not be necessary that the distance shall be the same on all parts of the street, or on both sides of the street.

Power  
to borrow  
\$20,000 for  
certain  
purposes.

4.—(1) The council of the corporation of the city of Niagara Falls may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing the sum of \$20,000 by the issue and sale of debentures payable at any time within twenty years for the following purposes, namely:

(a) To construct a concrete sidewalk on New Street from Victoria Avenue to River Road..... \$5,250 00

(b) To construct a retaining wall and such other protection to the rock face of the cutting for New Street as may be necessary to prevent erosion and damage to the street or the public using the same.. 11,750 00

(c) To construct stairways from Palmer Avenue and Ontario Avenue to New Street 3,000 00

Total..... \$20,000 00

Debentures,  
confirmed.

(2) The debentures to be issued for such sum of \$20,000 shall be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

5. This Act, except section 2, shall come into force on the day upon which it receives the Royal Assent, and section 2 shall come into force on July 1st, 1929.

## CHAPTER 110

## An Act respecting the Township of North York.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. All sales of land within the township of North York made prior to the 31st day of December, 1927, which purport to have been made by the corporation of the township of North York or by its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said township purporting to convey the said lands so sold to the purchaser thereof or his assigns, shall have the effect of vesting the lands so sold in the purchaser or his or her heirs and assigns in fee simple, clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale or their assigns and clear of and free from all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold. Tax sales and deeds, confirmed.

2.—(1) No part of the township of North York shall, after the passing of this Act be annexed to any adjoining municipality or be incorporated as a municipality separate and apart from the township of North York, without the consent of the council of the township of North York. No annexation of part of Township without consent of council.

(2) This section shall remain in force for one year only after this Act comes into force.

3.—(1) The council of the corporation of the township of North York may from time to time pass by-laws providing that the election of public school trustees for such public school sections in the township of North York as the council Election of public school trustees.

may

may by such by-laws determine, shall be held by ballot on the same day as the municipal councillors are elected.

Procedure  
at elections  
of public  
school  
trustees.

(2) After such by-law has been passed subsections 3 to 10 of this section shall apply and such election shall thereafter be held at the same time and place and by the same returning officer or officers and conducted in the same manner as the municipal nominations and elections of councillors, and the provisions of *The Municipal Act*, respecting the manner of holding elections, including the mode of receiving nominations for office and the resignation of persons nominated, and vacancies shall *mutatis mutandis* apply to the elections.

Rev. Stat.,  
c. 233.

Ballot  
papers.

(3) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the polling subdivisions in each public school section containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter.

Voters' lists.

(4) The voters' list to be used shall be that as finally revised by the county judge for use at the municipal election and shall contain a separate column showing opposite each elector's name the school section in respect of which he is entitled to vote in the election of trustees. The county judge in revising the voters' list shall be entitled to correct any error which may appear in respect of the school section in which the elector is entitled to vote. In any polling subdivision which contains electors in two or more school sections the deputy returning officer shall be supplied with a sufficient number of ballots containing the names of candidates in each of said school sections and each elector shall be entitled only to a ballot containing the names of the candidates for trustee in the school section marked opposite the elector's name.

Nomination  
meeting.

(5) A meeting of the electors of every public school section for the nomination of candidates for the office of trustee shall be held annually on the same day on which the meeting for the nomination of candidates for councillors is held, at the hour of 8 o'clock in the evening at such place as the board of trustees shall by resolution determine or in the absence of such resolution at the school house of the section. The secretary or secretary-treasurer (or if such office is vacant such person as may be appointed by resolution of the board of trustees) shall be the returning officer to hold the nominations for each school section. The said returning officers shall forthwith after the nominations make the returns thereof for their respective sections to the township clerk or such person as may be the returning officer for the whole municipality.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act*, for the purpose of transacting the business as therein provided (except the election of trustees) shall be held at the same time and place as the meeting for the nomination of candidates instead of on the last Wednesday in December.

Annual meeting.  
Rev. Stat.,  
c. 323.

(7) In the case of union school sections which contain part of an adjoining township, such part of the adjoining township shall be considered for the purpose of the election of school trustees as part of the township of North York. The clerk of the adjoining township shall furnish to the clerk of the township of North York a certified copy of so much of the revised voters' list of the said adjoining township as contains the names of electors qualified to vote in that portion of the union school section lying within the said adjoining township and such persons shall be entitled to vote in the election of trustees for such union school section.

Union school sections.

(8) The first meeting of each board of public school trustees shall be held on the second Wednesday in January of the year for which the trustees are elected, at the hour of 8 o'clock in the evening when the board shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer.

First meeting of Board.

(9) The provisions of this section shall not apply to or affect any union school section except a union school section in which the school house thereof is situated within the limits of the township of North York.

Application of section only where school house situate within township.

(10) All the provisions of *The Public Schools Act*, or any other statutes relating to rural school sections shall continue to apply to the said school sections except where inconsistent herewith.

Application of Rev. Stat., c. 323, and other Acts.

(11) Any by-law for the purposes mentioned in this section shall be passed not later in the year than the 1st day of November and shall take effect at and for the purpose of the next and each succeeding annual election.

By-law to be passed not later than November 1st.

4. The agreement made between Bayview Heights Limited and the corporation of the township of North York, dated the 31st day of October, 1928, and set out in schedule "A" hereto, is hereby ratified and confirmed and declared to be valid and binding upon the parties thereto, their successors and assigns.

Agreement with Bayview Heights Limited, confirmed.

By-law  
No. 714 re  
construction  
of steel and  
concrete  
bridge over  
Don ravine,  
confirmed.  
Rev. Stat.,  
c. 235.

5.—(1) Subject to the provisions of subsection 2 hereof by-law number 714 of the township of North York authorizing the construction of a steel and concrete bridge over the Don Ravine from the northerly end of MacLaren Avenue to Bayview Street, as a local improvement under the provisions of *The Local Improvement Act* and set out in schedule "B" hereto, is hereby ratified and confirmed and declared to be valid and binding upon the said corporation and the ratepayers thereof.

Power  
to assess  
cost of bridge  
by a special  
rate on land  
benefitted.

(2) The council of the corporation of the township of North York may by by-law assess the whole cost of the said bridge by a special rate on the assessed value of the rateable land described in said by-law number 714 in lieu of an equal rate per foot frontage as provided by *The Local Improvement Act*.

Rates levied  
deemed local  
improve-  
ment rates in  
ascertaining  
limit of  
borrowing  
powers.  
Rev. Stat.,  
c. 233.

6. All rates levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purpose of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and one-half cents on the dollar referred to in that section for the purpose of determining whether the council of the corporation of the township of North York may contract any further debts and any debt may be contracted pursuant to this Act notwithstanding the limitations provided by the said section.

Issue of  
debentures  
to meet cost  
of sidewalks  
and street  
lights on  
Hogg's  
Hollow  
bridge.

7.—(1) The council of the corporation of the township of North York may, without the assent of the electors, issue debentures for that part of the cost of the construction of sidewalks and street lighting works on the Hogg's Hollow bridge in the said township apportioned to the said township by the Minister of Highways and may by the by-law authorizing the issuing of such debentures, define subject to the approval of the Railway and Municipal Board a section or area of the said township and may provide that the whole or such portion of the amounts required to pay such debentures as council may determine, together with the whole or such portion of the annual cost of maintaining such street lighting works as council may determine, shall be specially assessed on the lots in said section or area, according to the extent of their frontage, by an equal special rate per foot of such frontage.

Frontage  
rate on lots  
in area  
benefitted.

Application  
of certain  
provisions of  
Rev. Stat.,  
c. 235.

(2) The provisions of *The Local Improvement Act* as to the preparation of the assessment roll, appeals to the court of revision, and appeals from the court of revision to the county Judge and regarding the exemption of certain lots from the said special assessment and deductions from the said special assessment, shall be applicable to the special assessment levied under the provisions of subsection 1 hereof.

8.—(1) Union School Sections numbers 7, 8, 10 and 28 partly situated in the said township of North York shall be dissolved on the 25th day of December, 1929, and the portions of such Union School Sections situated in the said township of North York shall be added to such school section in the said township of North York as the council of the said township shall by by-law passed before the 1st day of July, 1929, determine.

Dissolution  
of certain  
union school  
sections.

(2) The adjustment of all rights, claims, assets and liabilities consequent upon the dissolution of each of said union school sections shall be settled by arbitrators appointed in the manner prescribed in section 30 of *The Public Schools Act* and such arbitrators shall have all the powers and duties of arbitrators appointed under that section of *The Public Schools Act*.

Adjustment  
of assets and  
liabilities.

Rev. Stat.,  
c. 323.

9. This Act except section 1 shall come into force on the day upon which it receives the Royal Assent, and section 1 shall come into force on the 1st day of July, 1929.

Commence-  
ment of  
Act.

## SCHEDULE "A."

This agreement made this 31st day of October, 1928,

BETWEEN:

BAYVIEW HEIGHTS, LIMITED,  
hereinafter called the "Party"

of the first part,

and

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,  
hereinafter called the "Corporation"

of the second part.

Whereas the party of the first part has requested the Corporation to construct a steel and concrete bridge over the Don Ravine from the northerly end of MacLaren Avenue to Bayview Avenue;

And whereas the Corporation has agreed to construct such bridge but requires the party of the first part to guarantee payment of the first five annual special rates levied to pay for the cost of constructing such bridge;

And whereas the party of the first part has agreed to guarantee the payment of such rates in the manner hereinafter provided and to give security for the due performance by the party of the first part of this agreement and to pay a part of the cost of constructing such bridge;

Therefore this agreement witnesseth that it is agreed by and between the party of the first part and the corporation as follows:—

1. The Corporation will construct a steel and concrete bridge including the approaches thereto over the Don Ravine from the northerly end of

MacLaren

MacLaren Avenue to Bayview Avenue in accordance with the request of the party of the first part and under the provisions of *The Local Improvement Act* or such other legislation as may now or hereafter be in force authorizing the construction of such work. The northerly approach to such bridge shall include a right-of-way sixty-six feet (66') in width from Bayview Avenue as it exists at present to the northerly end of such bridge.

2. The party of the first part will pay the Corporation the sum of Forty Thousand Dollars (\$40,000.00) on the date of the letting of the tenders for the construction of the bridge and this Forty Thousand Dollars (\$40,000.00) shall be used by the Corporation in partial payment of the cost of construction of the said bridge.

3. The excess cost of such bridge and approaches over the sum of Forty Thousand Dollars shall be assessed by a special rate over such portion of the Township of North York as the Council thereof may determine by the by-law undertaking the said work.

4. The party of the first part will co-operate with the Corporation to the best of its ability in securing legislation which will enable the Corporation to levy the special annual rate required to pay for the cost of constructing such bridge and approaches by a special rate on the dollar on all the land in the area specially assessed instead of by a rate per foot frontage.

5. The party of the first part covenants and agrees to and with the Corporation that the first five annual special rates imposed to pay for the cost of constructing the said bridge and approaches shall be paid to the Corporation as and when the same become due under the provisions of the Statutes and By-laws in that behalf.

6. In the event of the said special annual rates or any part thereof remaining unpaid on the 14th day of December in the year in which the same are due the party of the first part shall forthwith pay to the Corporation the amount then due and unpaid for the said special annual rate imposed for that year.

7. In the event of any of the lands specially assessed for such bridge and approaches not being owned by the party of the first part at the time default is made in the payment of such special annual rate the payment made by the party of the first part hereunder in respect of such land shall be deemed to be a deposit only, and the Corporation shall notwithstanding such deposit without delay take all available proceedings to collect such special annual rates and as and when the same or any part hereof are collected the Corporation shall forthwith return to the party of the first part a proper proportion of such deposit.

8. In the event of the Corporation succeeding in collecting the said special annual rates in full together with the lawful penalties for default in payment of the same the Corporation shall pay to the party of the first part interest on the proportion of the deposit returned to the party of the first part at the rate of interest paid by the Corporation for Bank loans at the time of such return to the party of the first part but otherwise no interest shall be allowed by the Corporation on the said deposit.

9. The party of the first part shall furnish the Corporation with a bond of a suitable surety Company or such other security as may hereafter be agreed upon between the parties hereto guaranteeing the due performance by the said party of the first part of all its obligations under this agreement.

10. Nothing herein contained shall in any way alter, affect, limit or prejudice the rights of the Corporation to take all such proceedings as are now or may hereafter be authorized by law for the collection of the said special annual rates or any of them, nor shall anything herein contained be construed as a waiver of any rights of priority which the Corporation may now or hereafter have.

11. This agreement shall be binding upon and enure to the benefit of the parties hereto and their successors and assigns.



In witness whereof the parties hereto have hereunto set their corporate seals by the hands of the proper officers in that behalf.

Signed, sealed and delivered, in the presence of:

(Sgd.) BAYVIEW HEIGHTS, LIMITED,  
J. F. MCPARLAND, *President*.  
D. D. MCLEOD, *Sec.-Treasurer*.  
(SEAL)  
TOWNSHIP OF NORTH YORK,  
WM. W. ANDERSON, *Reeve*.  
H. D. GOODE, *Clerk*.  
(SEAL)

## SCHEDULE "B."

### CONSTRUCTION BY-LAW NUMBER 714

#### TOWNSHIP OF NORTH YORK

A By-law to authorize the construction of a steel and concrete bridge over the Don Ravine from the northerly end of MacLaren Avenue to Bayview Street as a local improvement under the provisions of *The Local Improvement Act*.

Whereas it has been duly declared by Declaratory By-law Number 687 passed by a vote of two-thirds of all the members of the Council, desirable that the construction of the work hereinafter described shall be undertaken as a local improvement;

And whereas notice of the intention of the Council to undertake such work was duly published more than twenty-one days prior to the passing of this By-law;

And whereas no petition has been made to the Ontario Railway and Municipal Board pursuant to the said Act;

And whereas this Council is of the opinion that it will be inequitable to charge the cost of the work on the lands abutting directly on such work;

And whereas the Council has procured to be made the reports, estimates and statements required for undertaking the said work;

Therefore the Municipal Council of the Corporation of the Township of North York by a vote of three-fourths of all the members thereof, enacts as follows:—

1. That as so declared a steel and concrete bridge be constructed over the Don Ravine from MacLaren Avenue to Bayview Street as a part of a diversion of the said Bayview Street as a local improvement under the provisions of *The Local Improvement Act*.

2. That the cost of such bridge be specially assessed upon the following lands in the said Township of North York which will be immediately benefited by the work:—

(a) The easterly half of lot 5 in Concession 2, east of Yonge Street.

(b) The westerly 39.574 acres of Lot 5, Concession 3, East of Yonge Street.

(c) All of Lots 6, 7, 8, 9 and 10, Concession 2, east of Yonge Street.

(d) All of Lots 8, 9 and 10 in Concession 1, east of Yonge Street lying east of a line drawn parallel to Bayview Street and distant five hundred feet westerly therefrom, and all of Lot 7 in Concession 1, east of Yonge Street lying east of a line drawn parallel to Bayview Street and five hundred feet westerly therefrom and lying north of Snowden Avenue.



3. That the Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work, or for the carrying on and executing of the work by day labour.

4. That the work shall be carried on and executed under the superintendence and according to the directions and orders of such engineer.

5. The Reeve and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution, unless this Council decides by resolution to carry on and execute the work by day labour in which event the work shall be carried on and executed by day labour.

6. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

7. The special assessment shall be paid by thirty annual instalments.

8. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at such rate as this Council may determine and be made payable within thirty years on the instalment plan.

Enacted and passed this 21st day of January, A.D. 1929.

(Sgd.) H. D. GOODE, *Clerk*.

(Sgd.) JAS. MUIRHEAD, *Reeve*.

(SEAL)

## CHAPTER 111

## An Act respecting the Town of Ojibway.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the town of Ojibway has Preamble.  
 by its petition represented that the corporation of the county of Essex passed by-law number 668, to fix the equalization of assessment of a portion of the town of Ojibway, and which by-law is set forth in Schedule "A" hereto, and that it is desirable in the interests of the county and the town that the said by-law should be confirmed; and whereas the said municipal corporation of the town of Ojibway has by its petition further represented that it was incorporated by an Act passed in the year 1913, and chaptered 108, under which Act the first councillors were to hold office until the 31st day of December, 1916; and that the said Act was amended by an Act passed in the year 1916, and chaptered 82, under which amendment the first councillors were to hold office until the 31st day of December, 1919, and that the said Act was further amended by an Act passed in the year 1919, and chaptered 98, under which amendment the first councillors were to hold office until the 31st day of December, 1924, and that the said Act was further amended by an Act passed in the year 1924, and chaptered 111, under which amendment the first councillors were to hold office until the 31st day of December, 1929, and that it is desirable in the interests of the said corporation that the terms of office of the first councillors should be further extended; and whereas the said corporation has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Ojibway Act*, Short title.  
 1929.

2. By-law number 668 passed by the municipal corporation By-law 668 of county of Essex confirmed.  
 of the county of Essex and dated the 24th day of September, 1928, and set out as Schedule "A" to this Act, is hereby con-

firmed

firmed and declared to be legal, valid and binding upon the municipal corporations of the county of Essex and the town of Ojibway, and the ratepayers of said municipal corporations.

1913, c. 108,  
s. 3, subs. 3;  
1924, c. 111,  
s. 2,  
amended. **3.**—(1) Subsection 3 of section 3 of the Act passed in the year 1913, and chaptered 108, as amended by 6 George V, chapter 82, section 3, and further amended by 9 George V, chapter 98, section 1, and as further amended by 14 George V, chapter 111, section 2, is further amended by inserting after the figures "1929," the figures "1930, 1931, 1932, 1933 and 1934."

1913, c. 108,  
s. 3, subs. 4,  
amended. (2) Subsection 4 of section 3 of the said Act, as amended by 6 George V, chapter 82, section 3, and further amended by 9 George V, chapter 98, section 1, and further amended by 14 George V, chapter 111, section 2, is further amended by striking out the figures "1929" and substituting therefor the figures "1934."

1913, c. 108,  
s. 4; 1924,  
c. 111, s. 2,  
amended. (3) Section 4 of the said Act, as amended by 6 George V, chapter 82, section 3, and further amended by 9 George V, chapter 98, section 2, and as further amended by 14 George V, chapter 111, section 2, is further amended by striking out the figures "1929" and substituting therefor the figures "1934."

1913, c. 108,  
s. 5; 1924,  
c. 111, s. 2,  
amended. (4) Section 5 of the said Act as amended by 6 George V, chapter 82, section 3, and further amended by 9 George V, chapter 98, section 3, and as further amended by 14 George V, chapter 111, section 2, is further amended by striking out the figures "1929" and substituting therefor the figures "1934."

Commence-  
ment of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

### BY-LAW No. 668

A by-law of the Municipal Corporation of the County of Essex to fix the equalization assessment of a portion of the Town of Ojibway.

Whereas the Corporation of the Town of Ojibway is incorporated under a Special Act of the Legislature of the Province of Ontario as a Town, and includes within its limits about Sixteen hundred and fifty (1,650) acres of land for the purpose of establishing an industrial plant for the manufacture of steel products.

And whereas that portion of the said Town of Ojibway lying west of what is known as Main Street extending to the River Detroit, is set aside as the industrial area of the said Town, and that portion thereof lying east of the said Main Street is intended for residential purposes.

And

And whereas for various reasons the progress in the development of the said industrial area has been delayed from time to time, and it is deemed advisable by the County of Essex to grant a fixed equalization assessment in respect of the said industrial area for the period of years and for the amounts set forth for the purpose of encouraging the establishment of the said industry by the Canadian Steel Corporation, Limited, the owner of the lands within the said Town.

And whereas the present equalization assessment of the Town of Ojibway for County purposes is \$1,288,000.00.

BE IT THEREFORE ENACTED by the Municipal Corporation of the County of Essex, as follows:—

(1) That the annual equalization assessment for all purposes for that portion of the Municipal Corporation of the Town of Ojibway lying west of what is known as Main Street in the said Town, shall for the years 1929, 1930 and 1931, be the sum of \$900,000.00.

(2) If on the 31st day of December, 1931, there shall be employed in the said Town of Ojibway by the said Industrial Corporation in its operations at least five hundred persons bona fide, and not for the purpose of taking advantage of the provisions herein contained, then the annual equalization assessment for all purposes shall be for the years 1932, 1933 and 1934, the sum of \$1,100,000.00.

(3) If on the 31st day of December, 1934, there shall be employed in the said Town of Ojibway by the said Industrial Corporation in its operations at least eight hundred persons bona fide, and not for the purpose of taking advantage of the provisions herein contained, then the annual equalization assessment for all purposes shall be for the years 1935, 1936, 1937 and 1938, the sum of \$1,300,000.00.

(4) The fixed assessments hereinbefore provided for shall apply to lands, buildings and improvements within the said area, but nothing herein contained shall affect the equalization of the remaining portion of Ojibway, but the same shall be equalized rateably and proportionately with other lands in the County of Essex, according to the provisions of the Assessment Act.

(5) The Town of Ojibway shall forthwith proceed with an application to the Legislature of the Province of Ontario for a Special Act validating this Agreement and shall pay the expenses connected with the said application including such expenses as the County of Essex may be put to in connection therewith.

This By-law shall come into force and effect when passed and validated as hereinbefore provided.

Passed in open Council this 24th day of September, A.D. 1928.

(Sgd.) W. P. COYLE,  
*Clerk.*

(Sgd.) ANTHONY A. MARENTETTE,  
*Warden.*

## CHAPTER 112

## An Act respecting the Township of Oliver.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS the corporation of the township of Oliver has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Township of Oliver Act, 1929.*

## Certain mining locations declared part of township.

**2.** It is hereby declared that the whole of Mining locations 10X and 12X in the district of Thunder Bay in the Province of Ontario are and always have been since the incorporation of the township of Oliver situate wholly within the limits of the said township of Oliver.

## Tax sales and deeds confirmed.

**3.**—(1) All sales of land within the limits of the township of Oliver made prior to the 31st day of December, 1927, and which purport to be made by the corporation of the township of Oliver, or the treasurer thereof for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all deeds of the land so sold, executed by the proper officers of the corporation purporting to convey the said lands so sold to the purchaser thereof or his assigns, are hereby validated and confirmed, and shall be deemed to have had the effect of vesting the lands so sold and conveyed or purported to have been sold and conveyed and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

## Case of corporation as purchaser.

(2) This section shall apply to cases where the corporation or anyone in trust for it, or on its behalf, became the purchaser or grantee of any such lands.

(3)

(3) Nothing in this section contained shall affect any <sup>Pending</sup> action, litigation or other proceedings now pending, but the <sup>litigation not</sup> ~~the~~ affected. same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

4. This Act except section 3 shall come into force on the <sup>Commence-</sup> day upon which it receives the Royal Assent and section 3 <sup>ment of</sup> ~~Act.~~ shall come into force on the 1st day of July, 1929.

## CHAPTER 113

## An Act respecting the City of Oshawa.

*Assented to 28th March, 1929.*

Preamble.

Rev. Stat.,  
c. 248.

**W**HEREAS the municipal corporation of the city of Oshawa has by its petition represented that forty-two acres of land, within the city limits were given to the city by General Motors of Canada, Limited, for a park; and that the same was accepted by the city and placed under the control and management of the Board of Parks Management, under *The Public Parks Act*, and that in the year 1927 the said Board of Parks Management requested the council of the municipality to make a grant to it of \$17,000 for the erection of a pavilion on the said property to be used for shelter, amusements and refreshments; and that the council acceded to the request of the Park Commission which has built the pavilion at a cost of \$17,000; and whereas the city passed by-law number 1810 and thereunder issued debentures for the said amount payable over a period of twenty years and that in attempting to sell the same doubts have been raised as to the legality of the said by-law number 1810 and the corporation has by its petition prayed that an Act be passed legalizing, ratifying and confirming the said by-law and debentures issued thereunder; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The City of Oshawa Act, 1929.*

By-law  
No. 1810,  
confirmed.

**2.** By-law number 1810 of the city of Oshawa to authorize the issue of debentures for the sum of \$17,000 as passed by the municipal council of the said city of Oshawa, on the 13th day of April, A.D. 1927, and set out as schedule "A" hereto, and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the municipal corporation of the said city of Oshawa and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

## SCHEDULE "A."

By-law No. 1810 of the Corporation of the City of Oshawa to borrow the sum of \$17,000.00 at the request of the Board of Park Management for the City of Oshawa to erect a Pavilion on what is known as Lakeview Park in said City.

Whereas the Board of Park Management for the City of Oshawa has requested the Council to raise by a special issue of Debentures to be called "Park Fund Debentures" the sum of \$17,000.00 for the purpose of erecting a Pavilion on what is known as "Lakeview Park" in the said City of Oshawa.

And whereas it is deemed advisable to grant said request.

And whereas it is necessary to borrow the said sum of \$17,000 on the credit of the Corporation and to issue Debentures therefor bearing interest at the rate of five per cent. per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal and interest to be repayable in yearly sums during the period of fifteen years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of \$1,637.82 during the period of fifteen years to pay the said yearly sum of principal and interest as they become due.

And whereas the amount of the whole rateable property of the Municipality, according to the last revised Assessment Roll is \$11,962,380.00.

And whereas the amount of the existing Debenture Debt of the said Municipality is \$3,591,040.98, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the City of Oshawa enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$17,000 and Debentures shall be issued therefor in sums of not less than One Hundred Dollars each, bearing interest at the rate of five per cent. per annum, and having Coupons attached thereto for the payment of the interest.

2. The Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years, and shall be payable in fifteen annual instalments during the fifteen years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereunto annexed.

3. The Debentures as to both principal and interest may be expressed in Canadian currency, and may be payable at the office of the City Treasurer or at the Standard Bank in Oshawa, Toronto and Montreal.

4. The Debentures shall be signed and issued by the Mayor and shall be signed also by the Treasurer, and shall be sealed with the seal of the Corporation, and the Interest Coupons shall be signed by the Treasurer only. The signature of the Treasurer on the Coupons may be written, stamped, lithographed or engraved.

5. During the currency of the said Debentures there shall be raised annually in addition to all other rates by a special rate on all rateable property in the said City of Oshawa the sum of \$1,637.82, for the purpose of paying the amount due in each of the said fifteen years for principal and interest in respect of the said debt hereby authorized as shown in said Schedule "A" hereto annexed.



6. The Debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal Debentures in force at the time of the issue thereof.

7. This by-law shall take effect on the day of the final passing thereof.

By-law read a first time, April 13th, A.D. 1927.

By-law read a second time, April 13th, A.D. 1927.

By-law read a third time and finally passed, April 13th, A.D. 1927.

"F. E. HARE," *Clerk.*

"Robt. D. PRESTON," *Mayor.*

*Schedule "A"*

\$17,000.....15 years.....5%

Year	Interest	Principal	Annual Payment
1.....	\$850 00	\$787 82	\$1,637 32
2.....	810 61	827 21	1,637 32
3.....	769 25	868 57	1,637 32
4.....	725 82	912 00	1,637 32
5.....	680 22	957 60	1,637 32
6.....	632 34	1,005 48	1,637 32
7.....	582 06	1,055 76	1,637 32
8.....	529 28	1,108 54	1,637 32
9.....	473 85	1,163 97	1,637 32
10.....	415 65	1,222 17	1,637 32
11.....	354 54	1,283 28	1,637 32
12.....	290 38	1,347 44	1,637 32
13.....	223 00	1,414 82	1,637 32
14.....	152 26	1,485 56	1,637 32
15.....	77 99	1,559 78	1,637 32

\$17,000 00

## CHAPTER 114

## An Act respecting the City of Ottawa.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Ottawa has by Preamble.  
its petition prayed that it should be enacted as herein-  
after set forth; and whereas it is expedient to grant the  
prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

1. This Act may be cited as *The City of Ottawa Act, 1929*. Short title.

2. The council of the corporation of the city of Ottawa Borrowing \$75,000 for extensions of water-mains.  
may provide by by-law for an issue of debentures not exceed-  
ing \$75,000 payable within thirty (30) years from their date,  
for the purpose of defraying the cost of constructing and  
extending watermain and water services.

3. For the payment of the debt and interest represented Debt to be discharged out of water rates.  
by the debentures to be issued under the authority of section 2  
of this Act, there shall be raised annually by the corporation  
during their currency, with the authority conferred in, and  
by, an Act passed in the thirty-fifth year of the reign of Her  
late Majesty Queen Victoria, chaptered 80, and intituled  
*An Act for the Construction of Waterworks for the City of Ottawa*,  
from the water rates, a sum sufficient to discharge the said  
debt and interest, when and as the same shall respectively  
become due, such sum to be in addition to the money required  
to be raised to meet the charges of maintenance and cost of  
renewals in connection with the said waterworks, and for the  
payment of the principal and interest of all debts heretofore  
contracted for the purposes of the said waterworks, but if  
at any time, the moneys accruing from the said water rates  
shall prove insufficient for the purposes aforesaid, then,  
when and so often as the said deficiency shall occur, there  
shall be raised, levied and collected, by the said corporation,  
by a special rate upon the assessable property of the said  
corporation, according to the then last revised assessment roll  
thereof, a sum sufficient to make good such deficiency.

Issue of  
20-year  
debentures  
for certain  
purposes.

4. The council of the said corporation may provide by by-law for an issue or issues of debentures, payable within twenty (20) years from their date and not exceeding the following amounts, for the purposes specified:

- (a) \$20,000 for alterations and improvements to the Strathcona Isolation Hospital;
- (b) \$45,000 for improvements to the buildings and grounds of Lansdowne Park;
- (c) \$15,000 for altering and improving the main sewer in Rideau Ward;
- (d) \$25,000 to complete the construction of the Cave Creek drainage work;
- (e) \$4,500 to cover the cost of widening Carlyle Avenue.

Issue of  
10-year  
debentures  
for certain  
purposes.

5. The council of the said corporation may provide by by-law for an issue or issues of debentures, payable within ten (10) years from their date and not exceeding the following amounts, for the purposes specified:—

- (a) \$60,000 for the purchase of motor snow plows and snow removal equipment;
- (b) \$60,000 for widening the pavements and relocating the sidewalks and other corporation works on Slater, Queen, Kent and George Streets, or on such parts of the said streets as the said council by by-law may designate;
- (c) \$15,000 for the purchase and installation of traffic control equipment.
- (d) \$25,000 for the purpose of constructing comfort stations at city playgrounds and bathing beaches.

Assent of  
electors not  
required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat.,  
c. 233.

Rate of  
interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall, in such by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the corporation of the city of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Irregularity in form not to invalidate.

7. The council of the said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Consolidation of debenture issues.

8. All sales of land within the municipality of the city of Ottawa made by the treasurer thereof in the year 1927, purporting to be made for arrears of taxes due in respect of the lands so sold, are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his assigns, or to the corporation of the said city, as the case may be, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs and assigns or in the corporation of the said city, its successors and assigns, as the case may be, in fee simple, and clear of, and free from, all right, title, interest and claim whatsoever of the former owners thereof and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon except taxes accruing after those for the non-payment of which the said lands were sold, provided that nothing in this section contained shall affect or prejudice the right or rights of any person under any litigation that may be pending on July 1st, 1929.

Tax sales and deeds confirmed.

9. The council of the said corporation may, by by-law, which shall not require for its validity the assent of the electors, exempt from all municipal taxes and rates, other than school and collegiate institute, water, and local improvement rates, the Ottawa Drama League Incorporated, and all such lands and buildings as may from time to time belong to the said Drama League so long as they are actually used and occupied by it, but not if otherwise occupied and may from time to time amend, repeal and re-enact every such by-law.

Power to exempt from taxation property of Ottawa Drama League Incorporated.

10. The council of the said corporation may expend out of its current revenues for the year 1929, a sum not exceeding

Grants to widows and dependents of civic employees.

\$20,000 in granting relief to the widows and dependents of former officials and employees of the corporation.

Commence-  
ment of Act.

**11.** This Act except section 8, shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on July 1st, 1929.

## CHAPTER 115

## An Act respecting the City of Owen Sound.

*Assented to 28th March, 1929.*

**W**HEREAS the municipal corporation of the city of Preamble.  
Owen Sound has by petition represented that it has passed a by-law with the assent of the electors of the said corporation of the city of Owen Sound, authorizing an application for a special Act to reduce the number of members of the municipal council from twelve aldermen and a mayor to eight aldermen and a mayor, all to be elected by a general vote, the mayor to hold office for one year, the aldermen for two years; four aldermen to be elected each year; and whereas the said corporation has by its petition prayed that an Act may be passed for that purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.** This Act may be cited as *The City of Owen Sound Act*, Short title.  
1929.

**2.—(1)** For the year 1930 and thereafter, the council of Composition of council.  
the city of Owen Sound shall be composed of a mayor and eight aldermen to be elected by a general vote of the electors.

**(2)** The mayor of said city shall be elected annually by a Election of mayor.  
general vote of the electors.

**(3)** The four aldermen who shall obtain the highest number of votes at the election held for the year 1930 shall hold office Term of office of aldermen.  
for a term of two years, and the remainder of the aldermen elected at said election shall hold office for a term of one year; and in each year thereafter one-half of the said eight aldermen shall be elected by a general vote of the electors and shall hold office for a term of two years.

**3.** In all other respects the provisions of all general Acts Application of general Acts.  
of the Legislature of the Province of Ontario regarding the

election

election and tenure of office of members of the municipal council, shall apply.

Commence-  
ment of  
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 116

## An Act respecting the City of Port Arthur.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Port Arthur Preamble.  
has by its petition represented that the descriptions of the lands respectively described under the numbers "1" and "2" in a tax deed from the mayor and deputy treasurer of the corporation of the city of Port Arthur to the corporation of the city of Port Arthur, dated the 21st day of May, A.D. 1926, and registered in the registry office for the registry division of Port Arthur on the 27th day of May, A.D. 1926, as number 8036 D. for Port Arthur D. were intended to cover and include the lands hereinafter described, and that the lands granted and conveyed under the said deed 8036 D. were lands sold for taxes by the city of Port Arthur prior to the first day of January, A.D. 1926, and that the said tax deed 8036 D. was a conveyance of lands so sold executed by the mayor and treasurer of the said city; and whereas by special legislation set out in *An Act respecting the City of Port Arthur*, being chapter 122 of the Acts passed in the seventeenth year of the reign of His Majesty King George the Fifth, it was enacted that all sales of land in the city of Port Arthur made prior to the first day of January, A.D. 1926, by the corporation of the said city for arrears of taxes and costs in respect of lands so sold, should be thereby validated and confirmed, and all conveyances of lands so sold executed by the mayor and treasurer of the said city purporting to convey the said lands so sold to the purchaser of the said lands or his assigns should be validated and confirmed; and whereas in order to carry out a sale of the said lands by the city of Port Arthur and to correct the descriptions of the lands contained in the said deed 8036 D., special legislation as prayed for is desirable and necessary; and whereas the council of the city of Port Arthur has by its petition represented that it is desirable and in the interests of the corporation to validate and confirm all sales of land purporting to be made for arrears of taxes and costs made prior to the 1st day of January, A.D. 1928, and all conveyances of such land made pursuant thereto; and whereas doubts have arisen as to the power of the General Hospital of Port Arthur to issue debentures and it is desirable that the General Hospital of Port Arthur should be authorized to



issue debentures and that the corporation of the city of Port Arthur should be authorized to guarantee the payment of the principal and interest of any such debentures; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Port Arthur Act, 1929.*

Certain  
lands sold at  
tax sale  
declared  
vested  
in city.

2. The following lands in the city of Port Arthur, in the district of Thunder Bay and Province of Ontario, namely: All and singular that certain parcel or tract of land under the waters of Thunder Bay, in the district of Thunder Bay and Province of Ontario, being composed of a portion of water lot 4-P which is located opposite sections thirty-seven (37), thirty-eight (38) and thirty-nine (39), in the township of McIntyre now in the city of Port Arthur and which said portion is more particularly described as follows:

Commencing at the point where the northeasterly limit of parcel B, as shown on plan number M-90 as entered in the Land Titles Office at Port Arthur, intersects the southeasterly limit of the said water lot; thence northeasterly along the said southeasterly limit of the said water lot, to a point which is distant four hundred and fifty (450) feet measured northeasterly from and at right angles to the said limit of the said parcel B and which said point is the place of commencement for this description; thence continuing northeasterly along the said limit of water lot to a point in the same which is distant nine hundred (900) feet measured northeasterly from and at right angles to the said limit of the said parcel B; thence northwesterly and parallel to the said limit of the said parcel B to a point in the northwesterly limit of the said water lot; thence southwesterly along the said northwesterly limit of water lot, to a point where the same is intersected by a line drawn northwesterly from the point of commencement and parallel to the said northeasterly limit of the said parcel B; thence southeasterly and parallel to the said limit of the said parcel B to the point of commencement, were intended to be and were under the description marked "1" in the above in part recited tax deed number 8036 D. legally and validly granted and conveyed to and vested in the corporation of the city of Port Arthur in fee simple, free and

clear of and from all right, title and interest whatsoever of any other person, firm or corporation whomsoever and free and clear of all charges and encumbrances thereon.

**3.** The following lands in the city of Port Arthur, in the district of Thunder Bay and Province of Ontario, namely: Certain lands sold at tax sale declared vested in city. All and singular that certain parcel or tract of land under the waters of Thunder Bay, in the district of Thunder Bay and Province of Ontario, being composed of a portion of water lot 4-P which is located opposite sections thirty-seven (37), thirty-eight (38), and thirty-nine (39) in the township of McIntyre now in the city of Port Arthur and which said portion is more particularly described as follows:

All that portion of the said water lot lying to the north and east of a line drawn northwesterly and parallel to the northeasterly limit of parcel B, as shown on plan number M-90, as entered in the Land Titles Office at Port Arthur, from a point in the southeasterly limit of the said water lot which said point is distant eighteen hundred (1,800) feet, measured on a line drawn northeasterly from and at right angles to the said limit of the said parcel B.

Excepting therefrom that portion of the above described land which is described as follows: Commencing at the point where the southerly production of the westerly limit of mining location seven (7) Savigney's Survey (McIntyre) joins the southeasterly limit of the said water lot; thence southwesterly, along the said southeasterly limit of water lot, one hundred (100) feet; thence northerly and parallel to the said southerly production to a point in the northerly limit of the said water lot; thence easterly, along the said northerly limit of water lot, to the point where the same is intersected by the said southerly production; thence southerly, along the said southerly production to the point of commencement.

And together with all rights of ingress and egress appurtenant to the above described parcel of land over and upon that portion of the lands above excepted described as follows: Commencing at the point where the southerly production of the westerly limit of the said mining location seven (7) joins the southeasterly limit of the said water lot; thence southwesterly, along the said southeasterly limit of the said water lot, one hundred (100) feet; thence northerly and parallel to the said southerly produc-

tion one hundred feet (100); thence in a straight line to the point of commencement, were intended to be and were under the description marked "2" in the above in part recited tax deed number 8036 D. legally and validly granted and conveyed to and vested in the corporation of the city of Port Arthur in fee simple, free and clear of and from all right, title and interest whatsoever of any other person, firm or corporation whomsoever and free and clear of all charges and encumbrances thereon.

Construction  
of tax deed  
8036.

4. The said registered tax deed number 8036 D. for Port Arthur D. shall be construed and read as if at the time of the execution and delivery thereof and at the time of the registration thereof the description set forth in detail in sections 2 and 3 of this Act had been inserted therein as the descriptions marked "1" and "2" respectively instead of the descriptions actually set out as "1" and "2" therein.

Tax sales  
and deeds  
confirmed.

5.—(1) All sales of land in the city of Port Arthur made prior to the 1st day of January, 1928, and which purport to be made by the corporation of the said city for arrears of taxes and costs in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free and clear of and from all right, title, and interest whatsoever of the owners thereof at the time of such sale or their assigns and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.

Case of  
corporation  
as purchaser.

(2) Subsection 1 of this section shall extend and apply to cases where the said city or any person or persons in trust for it, or in its behalf, became the purchaser of lands at any such tax sale.

Pending  
litigation not  
affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Power  
of General  
Hospital  
to issue  
debentures.

6.—(1) The General Hospital of Port Arthur shall be deemed to have had at all times since its incorporation power to borrow money from time to time by the issue and sale of

debentures

debentures or otherwise whether secured by mortgage on the property of the hospital or not so secured.

(2) The council of the corporation of the city of Port Arthur may from time to time aid The General Hospital of Port Arthur by guaranteeing payment of the principal and interest of any debentures hereafter issued by the said hospital and the hospital may give to the corporation and the corporation may take from the hospital any security which the corporation may deem advisable as security for any such guarantee; provided that it shall not be necessary to submit to the electors qualified to vote on money by-laws for their assent any by-law or by-laws of the corporation guaranteeing the payment of the principal and interest of debentures of an aggregate principal amount not exceeding \$200,000 hereafter issued by the said hospital.

Guarantee of  
debentures  
by city.

(3) Any debentures issued by The General Hospital of Port Arthur, the payment of the principal and interest of which is guaranteed by the corporation of the city of Port Arthur pursuant to this Act, shall be legal, valid and binding upon the General Hospital and the guarantee of any such debentures by the corporation shall be legal, valid and binding upon the corporation of the city of Port Arthur.

Con-  
firmation of  
debentures.

7. The provisions of this Act other than section 5 shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on July 1st, 1929.

Commence-  
ment of  
Act.

## CHAPTER 117

## An Act respecting the Village of Richmond Hill.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the village of Richmond Hill has, by petition, represented that it has incurred a floating debt amounting to Thirteen thousand, three hundred dollars (\$13,300), which has accumulated over a period of years through the construction of waterworks, roads and an arena, in addition to the ordinary expenses of the corporation, for payment of which no fund has been provided; and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith, in addition to meeting the ordinary annual expenditures, would be unduly oppressive to the ratepayers and has prayed that power shall be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding Thirteen thousand, three hundred dollars (\$13,300), payable within ten years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Village of Richmond Hill Act, 1929.*

Floating  
debt con-  
solidated.

**2.** The floating debt of the corporation of the village of Richmond Hill is consolidated at the sum of Thirteen thousand, three hundred dollars (\$13,300) and the said corporation may borrow by a special issue of debentures a sum not exceeding Thirteen thousand, three hundred dollars (\$13,300) for the purpose of paying the said floating debt.

Term of  
debentures  
and interest.

**3.** The said debentures shall be made payable in not more than ten years from the date of the issue thereof and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Payment  
on instal-  
ment plan.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of Thirteen thousand, three hundred dollars (\$13,300) and for no other purpose.

Application  
of proceeds  
of de-  
bentures.

7. It shall not be necessary to obtain the assent of the electors of the village of Richmond Hill to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of  
electors  
not required.

Rev. Stat.,  
c. 233.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity  
in form  
not to  
invalidate.

9. It shall be the duty of the treasurer for the time being, of the said village, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be

Treasurer  
to keep  
proper books  
of account.

open to the inspection of any ratepayer of the said village, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 118

## An Act respecting the City of St. Thomas.

*Assented to 28th March, 1929.*

**W**HEREAS the municipal corporation of the city of St. Preamble.  
 Thomas has, by its petition, represented that pursuant to by-law No. 1862 of the corporation, approved by the rate-payers and ratified by 1 George V, Chapter 115, the said corporation, in the year 1910, loaned to The C. Norsworthy Company, Limited, the sum of \$10,000, payable within ten years from the date of the loan, and as security for the repayment thereof the company executed and delivered to the corporation a mortgage bearing date the 10th day of October, 1910, upon all the real and personal property of the company, in the city of St. Thomas; and that the company still owes the corporation the sum of \$6,833.35 in respect of the said loan and has requested the corporation to release from the said mortgage all goods and chattels covered by the said mortgage, and to accept payment of the said loan in ten equal annual instalments, which the corporation has agreed to do; and whereas the said municipal corporation has by its petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of St. Thomas Act*, Short title.  
 1929.

2. The corporation of the city of St. Thomas may release from a certain mortgage dated the 10th day of October, 1910, and registered in the registry office for the registry division of the County of Elgin on the 22nd day of October, 1910, as No. 33432 for St. Thomas, and filed in the office of the Clerk of the county court of the county of Elgin on the 15th day of April, 1911 as No. 8427, all goods and chattels covered by the said mortgage. Release of goods and chattels from mortgage.

3. The corporation of the city of St. Thomas may extend the time for payment of the interest on the said mortgage Extension of time for payment of mortgage.

which



which was overdue on March 23rd, 1928, as well as the principal of the said mortgage past due so as to make the same payable in ten equal annual instalments, the first of such instalments to be paid upon the 23rd day of March, 1929.

Ancillary  
powers.

4. The council of the said municipal corporation may pass all by-laws required to carry into effect the provisions of this Act and it shall not be necessary to submit the same for the assent of the electors.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 119

## An Act respecting the Town of Sandwich.

*Assented to 28th March, 1929.*

**W**HEREAS the municipal corporation of the town of Sandwich has by its petition represented that the town of Sandwich borders on the Detroit River and there is in the course of erection across the said Detroit River to a point in the city of Detroit in the State of Michigan, one of the United States of America, an international bridge known as the Ambassador Bridge and the approach to the said bridge including parts of the underground structure as well as the super-structure is situate within the town of Sandwich and has been assessed by the assessor of the town of Sandwich but the assessment is contested by the Canadian Transit Company, a corporation under the laws of the Dominion of Canada authorized to construct the said bridge and the owner thereof and in regard to which the provisions of *The Railway Act, 1919* (Canada) have been made to specially apply; and whereas the said municipal corporation of the town of Sandwich and the Canadian Transit Company in order to avoid lengthy and expensive litigation have entered into an agreement of settlement as to the assessment of the said bridge so far as situate in the town of Sandwich which said agreement is dated the 20th of December, 1928, and it is desirable to confirm the said assessment and validate the said agreement; and whereas the said municipal corporation has by its petition prayed that an Act may be passed for such purpose; and whereas, subject to the provisions of this Act, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Sandwich Act*, Short title.  
1929.

2. The assessment for taxation under *The Assessment Act* of the land in the town of Sandwich, on, over, or under which the Ambassador Bridge and its approach are constructed Assessment of Ambassador Bridge for 1929 to be \$1,170,000. Rev. Stat., c. 238.

structed and all the structures, sub-structures and super-structures and other property connected with the said Ambassador Bridge and its approach for the year 1929 is hereby confirmed at the sum of One million, one hundred and seventy thousand dollars (\$1,170,000).

Annual  
assessment  
of Ambassa-  
dor Bridge  
for seven  
years after  
1929,  
fixed at  
\$2,135,000.

3. The assessment for taxation under *The Assessment Act*, of the land in the town of Sandwich, on, over, or under which the Ambassador Bridge and its approach are constructed and all the structures, sub-structures, super-structures and other property connected with the said Ambassador Bridge and its approach annually for the next seven (7) years after the year 1929 is hereby confirmed at the sum of Two million, one hundred and thirty-five thousand dollars (\$2,135,000).

Agreement  
between  
town and  
Canadian  
Transit Co.,  
confirmed.

4. Saving and excepting paragraph 6 thereof the agreement, dated the 20th day of December, 1928, between the municipal corporation of the town of Sandwich and the Canadian Transit Company as set out in schedule "A" hereto is hereby declared to be legal and binding upon the parties thereto and on the ratepayers of the said municipal corporation and the said parties are hereby authorized to carry out their respective obligations and to exercise and enjoy their respective rights and powers thereunder.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Agreement made this 20th day of December, in the year of our Lord one thousand nine hundred and twenty-eight.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF SANDWICH,  
hereinafter called the "Party,"

of the first part;

—and—

THE CANADIAN TRANSIT COMPANY,  
hereinafter called the "Party",

of the second part.

Whereas the Canadian Transit Company was incorporated by special Act of Parliament of the Dominion of Canada and was granted special powers enabling it to construct and operate an international bridge across the River Detroit;

And

And whereas the said bridge known as the Ambassador Bridge is being constructed from a point on the westerly side of the Huron Line in the Town of Sandwich to the City of Detroit and the same will be completed on or about the first day of July, 1929;

And whereas the said special act incorporating the Canadian Transit Company, namely, Chapter 57 of the Acts of the Parliament of Canada passed in the 11th and 12th years of the reign of His Majesty George V, provided amongst other things that *The Railway Act, 1919*, should so far as not inconsistent with the said special act apply to the works and undertaking of the Canadian Transit Company and wherever in *The Railway Act, 1919*, the word "Railway" occurs it shall for the purposes of the company and unless the context otherwise requires, mean the said bridge;

And whereas the said Act was amended by an Act of the Parliament of Canada passed in the 12th and 13th years of the reign of His Majesty George V, Chapter 56, whereby it was provided that all the provisions of *The Railway Act, 1919*, not inconsistent with the provisions of *The Canadian Transit Act, 1921*, should continue to apply to the Canadian Transit Company;

And whereas sections 48, 49, 50 and 51 of *The Assessment Act, R.S.O., 1927*, Chapter 238, make provision for the assessments of railways generally and international bridges and doubt has been raised as to whether the assessment of the Ambassador Bridge is to be made strictly as a railway or as a bridge and whether the whole or any part of the property other than the land itself is assessable and to what extent;

And whereas an assessment has been made in the year 1928 for the year 1929 upon the lands occupied by the said Bridge and the approach itself and the same has been appealed by the Canadian Transit Company to the Court of Revision;

And whereas the parties hereto have agreed that settlement for the purpose of avoiding litigation is desirable in the interests of both and for that purpose have agreed as follows:—

1. The amount of the assessable value of the land in the Town of Sandwich on, over or under which the Ambassador Bridge and its approach are constructed, as set out in Schedule "A" hereto and all the structures, sub-structures and super-structures and other property connected with the said Ambassador Bridge and its approach for the year 1929 is hereby agreed upon and settled at the sum of One Million, One Hundred and Seventy Thousand Dollars (\$1,170,000.00).

2. The parties hereby agree that the Court of Revision in and for the Town of Sandwich upon the said assessment made in the year 1928 for the year 1929 may enter judgment accordingly.

3. The amount of the assessable value of the land itself on, over or under which the Ambassador Bridge and its approach are constructed as set out in Schedule "A" hereto and of the structures, sub-structures, super-structures and other property connected with the said Ambassador Bridge in the Town of Sandwich is hereby agreed upon and settled at the sum of Two Million, One Hundred and Thirty-five Thousand Dollars (\$2,135,000.00) for the years 1930 to 1936, inclusive.

4. Application to the Legislative Assembly of the Province of Ontario for an Act confirming this agreement shall be made by the solicitors for the Town of Sandwich but at the expense of the Canadian Transit Company.

5. The business assessment shall be made under clause (j) of section 9 of *The Assessment Act, R.S.O., 1927*, Chapter 238, and shall be payable upon the said assessable values during the said period.

6. The school taxes to be collected upon the said assessments shall be apportioned one-half to the public schools and one-half to the separate schools.

7. The assessable value as set out in this agreement shall not cover or include any part of the said lands or any buildings to be erected thereon which are not used for the operation, maintenance, superintendence or control of the said bridge.

8. This agreement shall not come into force and effect until ratified by the said Legislative Assembly.

In witness whereof the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED,

in the presence of:

(SEAL)

"T. M. RADFORD."

(SEAL)

THE MUNICIPAL CORPORATION OF  
THE TOWN OF SANDWICH,

(Sgd.) ERNEST THRASHER,  
*Mayor.*

(Sgd.) E. R. NORTH,  
*Clerk.*

THE CANADIAN TRANSIT COMPANY,

(Sgd.) J. A. BOWER,  
*President.*

(Sgd.) C. V. McTAGUE,  
*Secretary.*

## CHAPTER 120

## An Act respecting the City of Sarnia.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Sarnia has by Preamble. petition represented that under certain by-laws of the said corporation and a memorandum of agreement, dated the 31st day of January, 1927, between the said corporation of the first part, The Sarnia Elevator Company Limited, a company incorporated under the laws of the Province of Ontario, of the second part and The MacDonald Engineering Company of Canada, Limited, of the third part, all of which are set out in chapter 126 of the Acts passed in 1927 provision was made for the construction of a grain elevator by the corporation and the purchase thereof from the corporation by The Sarnia Elevator Company Limited, that in order to facilitate the transportation of grain from the West to the Atlantic seaboard, by way of the Great Lakes, and for local trade, further facilities for the transshipment and temporary storage of grain are required at the port of Sarnia, and that the said corporation, in order to provide the said additional facilities at the port of Sarnia, has entered into an agreement dated the 5th day of November, 1928, with The Sarnia Elevator Company Limited providing for the construction by the corporation of further concrete construction elevator capacity to the extent of two million bushels with a portable marine leg of most modern type and construction as an addition to the present elevator, the capacity of which is one million bushels, and further providing for the purchase by The Sarnia Elevator Company Limited of the said additions from the corporation, and also providing for varying and amending the terms of the said agreement, dated the 31st day of January, 1927, and providing for an addition to the fixed assessment of The Sarnia Elevator Company Limited, all as more fully set out in the said agreement dated the 5th day of November, 1928; and whereas it appears by the said petition that there has been duly submitted to the electors of the said municipal corporation by-law number 1790, providing for the authorization, ratification and confirmation of the said agreement dated the 5th day of November, 1928, and for borrowing on the credit of the said corporation of funds for the construction of the said additional elevator capacity, which by-law did

receive

receive the assent of the duly qualified electors by a vote of 2,201 for and 448 against the by-law, and was finally passed by the council of the corporation of the city of Sarnia on the 28th day of December, 1928, by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas the corporation of the city of Sarnia by the said petition has prayed that an Act be passed validating, legalizing and confirming the said by-law number 1790 and the debentures issued or to be issued thereunder, and authorizing and empowering the said corporation of the city of Sarnia to carry out, do and perform the things provided by the said by-law and by the said agreement dated the 5th day of November, 1928, to be carried out, done and performed by it, which said agreement is referred to in the said by-law and set out in schedule "A" thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Sarnia Act, 1929*.

By-law  
No. 1790,  
confirmed.

2. By-law number 1790 of the corporation of the city of Sarnia and the agreement in connection therewith as set out in schedule 1 hereto is hereby confirmed and declared to be legal, valid and binding upon the said corporation of the city of Sarnia and the ratepayers thereof, and upon The Sarnia Elevator Company Limited, and the said corporation of the city of Sarnia is hereby authorized and empowered to do all acts necessary or convenient for the full and proper carrying out of the provisions of the said by-law and the agreement.

Con-  
firmation of  
debentures.

3. The debentures issued or to be issued under the said by-law are hereby confirmed and declared to be legal, valid and binding upon the corporation of the city of Sarnia and the ratepayers thereof.

Power  
to amend  
by-law.

4. Notwithstanding anything in this Act or anything in the said by-law number 1790 the council of the corporation of the city of Sarnia may with the consent of The Sarnia Elevator Company Limited, and subject to the provisions of section 300 of *The Municipal Act*, pass a by-law amending the said by-law number 1790 and providing for a different rate of interest and for a corresponding change in the amount to be raised annually in the said by-law and any such amending by-law so passed shall be valid and binding on the said corporation and the ratepayers thereof and The Sarnia Elevator Company Limited.

Rev.Stat.,  
c. 233.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE 1.

## BY-LAW No. 1790

A By-law to provide for the borrowing of \$400,000.00 upon Debentures to pay for the erection and equipment of a Grain Elevator and a Portable Marine Leg and all other costs and expenses in connection therewith and incidental thereto, and to confirm a certain Agreement made between the Municipal Corporation of the City of Sarnia, and Sarnia Elevator Company Limited.

Whereas it is desirable and expedient to erect a Grain Elevator and a Portable Marine Leg in the City of Sarnia as provided by *The Municipal Act, 1927*, Revised Statutes of Ontario, Chapter 233, Section 396, Paragraph 24;

And whereas it is desirable and expedient to confirm a certain Agreement, dated the 5th day of November, A.D. 1928, between the Municipal Corporation of the City of Sarnia and the Sarnia Elevator Company Limited, for the sale of the said Grain Elevator and Portable Marine Leg in accordance with the terms of the said Agreement, which Agreement is hereunto annexed as Schedule "A";

And whereas the Municipal Council of the City of Sarnia, has approved of the said Agreement;

And whereas for the said purposes, it is necessary to borrow the sum of \$400,000.00 on the credit of the Corporation and to issue debentures payable within twenty years from the time of the issue thereof, and bearing interest at the rate of five per cent. per annum, payable yearly which is the amount of the debt intended to be created by this By-law; and proceeds of the debentures to be applied to the said purposes and no other;

And whereas \$32,097.03 is the total amount required to be raised annually for a special rate for the term of twenty years for the payment of the said debt and interest thereon at the rate of five per cent. per annum, according to the terms of this By-law;

And whereas it is expedient that the principal of said debt shall be repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as possible to the amount so payable for principal and interest in each of the other years;

And whereas the amount of the whole rateable property of the Municipality according to the last Revised Assessment Roll is \$17,754,050.00;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement Debts) secured by special rates of assessments is the sum of \$1,670,336.00 and no part of the principal or interest is in arrear;

And whereas it is expedient to authorize, ratify and confirm the said Agreement hereinbefore recited;

Therefore the Municipal Council of the City of Sarnia, enacts as follows:

1. That for the purposes aforesaid, it shall be lawful for the Municipal Council of the City of Sarnia to borrow on the credit of the Corporation at large, the sum of \$400,000.00 and debentures shall be issued therefor in sums of not less than One hundred dollars each, bearing interest at the rate of five per cent. per annum, computed from the date of the issue, and have coupons attached for the payment of interest.



2. That the debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments, during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Number	Principal	Interest	Total
1.....	\$12,097 03	\$20,000 00	\$32,097 03
2.....	12,701 89	19,395 14	32,097 03
3.....	13,336 98	18,760 05	32,097 03
4.....	14,003 83	18,093 20	32,097 03
5.....	14,704 02	17,393 01	32,097 03
6.....	15,439 22	16,657 81	32,097 03
7.....	16,211 18	15,885 85	32,097 03
8.....	17,021 74	15,075 29	32,097 03
9.....	17,872 83	14,224 20	32,097 03
10.....	18,766 47	13,330 56	32,097 03
11.....	19,704 80	12,392 23	32,097 03
12.....	20,690 03	11,407 00	32,097 03
13.....	21,724 54	10,372 49	32,097 03
14.....	22,810 76	9,286 27	32,097 03
15.....	23,951 30	8,145 73	32,097 03
16.....	25,148 87	6,948 16	32,097 03
17.....	26,406 32	5,690 71	32,097 03
18.....	27,726 62	4,370 41	32,097 03
19.....	29,112 96	2,984 07	32,097 03
20.....	30,568 61	1,528 42	32,097 03
	\$400,000 00	\$241,940 60	\$641,940 60

3. The debentures as to both principal and interest may be expressed in Canadian Currency or Sterling money of Great Britain at the rate of One Pound Sterling for each Four Dollars and eighty-six and two-third cents, and may be payable at any place or places in Canada or Great Britain.

4. The Mayor and Treasurer of the Corporation shall sign and issue the debentures and the Treasurer shall sign the interest coupons and the debentures shall be sealed with the seal of the Corporation and the Treasurer's signature may be printed, stamped, lithographed or engraved upon the said coupons.

5. During the twenty years, the currency of the said debt and debentures, there shall be raised, assessed and levied yearly by special rate, sufficient therefor, on all the rateable property in the Municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debentures as the same become respectively payable according to the provisions of this By-law.

6. All moneys raised from the said special rates or from the commutation thereof not immediately required for the payment of the interest shall be invested as required by law.

7. The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal Debentures in force at the time of issue thereof.

8. The execution of the said Agreement on behalf of the Corporation of the City of Sarnia is hereby authorized, ratified and confirmed and the said Agreement is hereby incorporated in this By-law and shall be read and confirmed as part thereof.

This By-law shall come into force and take effect immediately upon the final passing thereof.

Passed provisionally this 5th day of November, A.D. 1928.

Finally passed this 28th day of December, A.D. 1928.

(CORPORATE SEAL)

(Sgd.) W. J. SCOTT, Mayor.

(Sgd.) M. D. STEWART, Clerk.

*Schedule*

*Schedule "A."*

Memorandum of Agreement made this fifth day of November, 1928

BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF SARNIA  
(hereinafter called the "Corporation"),

of the first part;

—and—

THE SARNIA ELEVATOR COMPANY LIMITED  
(hereinafter called the "Company"),

of the second part.

Whereas under certain by-laws of the Corporation and a Memorandum of Agreement dated the 31st day of January, 1927, between the Corporation of the First Part, the Company of the Second Part and McDonald Engineering Company of Canada Limited of the Third Part, all of which are set out in Chapter 126 of the Statutes of Ontario (17 George V, 1927), provision was made for the construction of a grain elevator by the Corporation and the purchase thereof from the Corporation by the Company;

And whereas to facilitate the transportation of the grain from the West to the Atlantic Seaboard, by way of the Great Lakes and for local trade, further facilities for the transhipment and temporary storage of grain are required at the Port of Sarnia;

And whereas the Corporation is authorized under the provisions of paragraph 24, Section 396 of *The Municipal Act*, being chapter 233, Revised Statutes of Ontario, 1927, to erect, maintain and operate grain elevators;

And whereas the Corporation in order to provide the said additional facilities at the Port of Sarnia, is willing to construct further concrete construction elevator capacity to the extent of two million bushels with a portable marine leg of most modern type and construction as an addition to the present elevator, the capacity of which is one million bushels;

And whereas such additions are to be constructed on the lands referred to in this Agreement;

And whereas the Company has purchased the existing elevator on the said lands and it is intended that the Company should purchase the said additions from the Corporation upon the completion thereof in accordance with the plans and specifications therefor to be submitted by the Company and approved of by the Committee as hereinafter referred to and that the Company should thereafter operate such additions in conjunction with the present elevator to the greatest possibility of the grain trade and maintain the same on the terms and conditions hereinafter set forth;

Now therefore this indenture witnesseth, that in consideration of the premises and the stipulations and covenants herein on the part of the parties severally contained, the parties hereto covenant, promise and agree each with the other of them as follows:

1. The Company hereby agrees to have designed for the Corporation, an addition to the present elevator, such addition to consist of a storage elevator of modern design and substantial concrete construction with a storage capacity of not less than two million bushels of grain together with a concrete wharf running the full length of such addition and also extending along the full length of the present elevator and together with a portable marine leg, which leg is not only to be used in operation of the addition but also to have such connections that it can be used with the present elevator and together with dockage, trackage and other necessary appurtenances. All the foregoing is to be approved of and accepted by the Committee referred to in the next succeeding paragraph and is to be erected on the property hereinafter described.

2. The general and detailed plans and specifications of the said addition shall be prepared at the expense of the Company and shall be submitted for the approval of a committee of five persons, two of whom shall be appointed by the Council of the Corporation and two by the Company with powers to substitute from time to time, and a fifth member who shall be the City Engineer of the Corporation. Upon the approval of the general and detailed plans and specifications and of the price of construction and erection of the said addition which is estimated to cost \$650,000.00 the Corporation is then to call for tenders for the erection of the said addition, or shall let the contract to some contractor satisfactory to the Company in any other manner deemed advisable by the said Committee, and when a contract is entered into between the Corporation and a Contractor, satisfactory to the Company, embodying said plans, specifications, dockage and trackage, price of construction, etc., and such approval is evidenced by the signature of the said Committee or of the majority of them, the Council shall then pass a resolution authorizing the proper officials of the Corporation to accept and sign the same on behalf of the Corporation; the said plans and specifications and contract for the construction of the said addition shall be submitted, prior to their acceptance by the said Committee, to a consulting engineer, or to such competent person as may be required for his approval and costs thereof shall be borne by the Company in any event.

3. The said Contract, among other things, shall include the following:

(a) The said addition shall be built in a good substantial and workman-like manner under the supervision of the City Engineer who shall have full power to engage assistants whenever he considers the same necessary and the charge for such inspection shall be charged against and form part of the costs of the said construction.

(b) The said addition shall have railway connection and proper facilities for unloading boats and loading into railway cars.

(c) The said portable marine leg shall be of most modern type and capable of handling and unloading at least twenty-five thousand bushels of grain per hour, and shall be so constructed that it shall be capable of operation not only in conjunction with the said addition but shall also have such connection that it may be operated in conjunction with the said present elevator and shall be furnished with such ample power and machinery as shall be necessary to operate said portable marine leg to its full capacity.

(d) All payments due under the said contract shall be certified to by the City Engineer and approved of by the Municipal Council of the City of Sarnia before payment.

(e) A Surety Company Bond shall be provided to guarantee the construction of the said addition in accordance with the plans, specifications and contract in an amount to be determined by the Committee hereinbefore referred to.

(f) Fifteen per cent. (15%) of the contract price for the construction of the said addition shall be retained by the Corporation for a period of thirty days after the completion of the said addition and shall not be paid by the Corporation until the said addition has been proven to the City Engineer of the City of Sarnia to be in satisfactory running condition, and that the said Contract has been conformed with in every respect.

4. Upon satisfactory completion of the said addition equipped and ready for operation, both by water and rail, at full capacity and in accordance with the plans, specifications and contract hereinbefore referred to, the Corporation agrees to sell to the said Company and the Company for itself, its successors and assigns agrees to purchase the said addition at a price equal to the total cost of the design and construction, insurance and interest during the course of the construction, and all other expenditures made in fully completing the said addition and the Company thereupon agrees to pay the Corporation the sum of \$250,000.00 in cash, and upon such payment is to be put in possession of the said addition and the balance of the purchase money, which is not to exceed \$400,000.00 shall

be paid in yearly instalments equal to the amount required to pay the yearly instalments of principal and interest on the debentures to be issued by the Corporation to secure the funds necessary to pay for the erection of the said addition as before set out. The first payment to be due one year from the date of the issue of the debentures and to include interest from the date of the issue of the said debentures. Provided, however, that with regard to the payment of the sum of \$250,000.00 in cash, should the Corporation require any portion of the said sum prior to the completion of the said addition then the Corporation may demand payment of such sums as may be required to meet payment of progress certificates as the work advances until the said sum of \$250,000.00 has been paid, which progress certificates provide for the retention of the 15 per cent. as hereinbefore set out and the Company agrees to pay such progress certificates as required.

5. Upon full payment of the purchase price to be paid by the Company under this agreement and under the hereinbefore recited agreement of the 31st of January, 1927, the Corporation agrees to convey and assure or cause to be conveyed and assured to the said Company, its successors or assigns, by good and sufficient deed in fee simple, free from encumbrances and without reservations of any kind, all and singular that certain parcel or tract of land and land covered by water situate, lying and being in the City of Sarnia in the County of Lambton and Province of Ontario and being composed of parts of lots numbers four, five, six, seven, eight, nine, ten and eleven, according to registered plan number twenty-four for the said City of Sarnia, more particularly described as follows: Commencing at the point in the northerly limit of lot number eleven distant one thousand and twenty-nine and one-half feet westerly from the intersection of the base line, shown on said plan number twenty-four with the southerly limit of Exmouth Street; thence southerly parallel to the said base line to the southerly boundary of lot number four; thence westerly in the southerly limit of lot number four, seventeen hundred feet more or less to the channel bank of the River St. Clair; thence northerly following the said channel bank to the north limit of lot number eleven; thence east in the northerly limit of said lot number eleven, two thousand five hundred and fifty-four and two-tenths feet more or less to the place of beginning, containing by admeasurement fifty-five and five-tenths acres, be the same more or less as shown within the red border of the plan made by John A. Baird, O.L.S., dated the twenty-sixth day of January, 1927, attached to the said hereinbefore recited agreement of the 31st of January, 1927. Together with such right-of-way from the said property to the Canadian National Railway tracks to Point Edward as may have been conveyed or may hereafter be conveyed to the Corporation for the purpose of constructing a railway switch from the said tracks to the above described property with all appurtenances and all buildings, structures, dockage and trackage heretofore or hereafter erected on or under the said lands or right-of-way, including without limiting the generality of the foregoing the present elevator and the addition. But excepting thereout such parts of the said lands as have been or may be conveyed by the Corporation to the Dominion of Canada or for industrial sites under the said agreement of the 31st of January, 1927. The said Conveyance shall be subject to all reservations and limitations set out in the said agreement dated the 31st January, 1927. The said lands hereinbefore described are those intended to be described in the said agreement of the 31st of January, 1927, but which were therein erroneously described. Provided, however, that should the Company not convey or cause to be conveyed to the Corporation the lands hereinbefore particularly described less such parts thereof as have been or may be conveyed by the Corporation to the Dominion of Canada or for industrial sites under the said agreement of the 31st of January, 1927, then the conveyance by the Corporation under the provisions of this paragraph shall describe the lands by reference to the description contained in the said agreement of the 31st of January, 1927.

6. If the Company at any time during the currency of this agreement and/or the said agreement of the 31st of January, 1927, deposit with the Corporation or with a trustee a sum of money and/or securities authorized for the investment of trust funds under *The Trustee Act* satisfactory to the Corporation sufficient to satisfy the principal and interest on the then outstanding debentures issued by the Corporation to secure the funds necessary to pay for the erection of the existing elevator and the said

addition

addition, then the Corporation will convey to the Company the lands and appurtenances described in the next preceding paragraph as though the purchase money therein referred to had been fully paid.

7. The said Corporation shall, by its Council, as soon as possible procure to be submitted to the electors of the Municipality under the provisions of *The Municipal Act*, a By-law authorizing the erection of the said addition, by the issue of debentures, bearing interest at the rate of 5 per cent. per annum, to the extent of \$400,000.00 to pay for the same and authorizing the sale of the said addition, when completed, to the said Company, and ratifying and confirming this agreement, the costs of such vote, the preparation of this agreement and necessary By-laws and all other necessary legal expenses, are to be paid for by the Company previous to the putting of such vote to the people.

8. The debentures to be issued by the Corporation shall run for a period of twenty years, and the said debentures shall be payable yearly, and the first payment of principal and interest shall be due in one year from the date of the issue of the debentures. In the event of the sale of the said debentures by the Corporation at a discount, the said discount shall become part of the original cost of construction, and be paid by the said Company, but in the event of the sale of the said debentures at a premium, the said premium shall be applied on payment of the first year's interest and principal due by the Company under this agreement. Provided, however, should the Corporation deem it advisable to borrow any part of the said sum of \$400,000.00 before the issuing of the said debentures, then the interest on said amount of money so borrowed will become part of the original cost of construction.

9. Should the said By-law for the erection of the said addition be assented to by the electors, the Corporation shall by its Council pass the said By-law and in case the said By-law shall not, on such submission, receive the assent of the electors as required by *The Municipal Act*, then this agreement and the said By-law shall be null and void and of no effect.

10. The said Corporation also agrees to assist the Company in procuring the Dominion Government to do all necessary dredging and harbour work for the proper erection and operation of the said addition and for the construction of a proper harbour.

11. The Corporation agrees to apply to the Legislature of the Province of Ontario for a Special Act authorizing and confirming the said By-law. All costs incidental to obtaining the Special Act shall be defrayed by the Company previous to the time that the said Corporation applies to the Legislature for the said Special Act, together with all other costs and legal fees rightly incurred by the Corporation in connection with the erection and sale of the said addition to the Company.

12. The Company agrees to keep the said addition insured against fire and explosion (if possible) to an amount equal to the balance of the purchase money from time to time owing thereon and shall deposit such insurance policies with the Treasurer of the said Corporation with loss made payable to the Corporation.

13. The Company further agrees that should the cost of the said addition without including the cost of the land, exceed the sum of \$650,000.00 then the Company agrees to pay for all excess costs above the said sum of \$650,000.00 and to deposit a surety company bond, or a bond satisfactory to the Corporation, which bond shall provide for payment by the Company on account of the construction of the said addition of any amount in excess of the said sum of \$650,000.00.

14. The Company further agrees to deposit with the said Corporation a surety company bond, or a bond suitable to the Corporation for \$250,000.00 guaranteeing the down payment provided for under this agreement upon the transfer of the said addition to the Company, or as otherwise set out; both of the said last mentioned bonds shall be deposited with the Corporation prior to the time any work is undertaken.

15. The said agreement of the 31st January, 1927, is hereby amended by omitting clause number 21 thereof.

16. The Company further agrees that it will give to all railways now or hereafter entering the said City of Sarnia access over its right-of-way to the said present elevator and said addition for the purpose of carrying grain to and from the same.

17. The Company agrees to maintain and operate the said addition for a period of twenty years and make all necessary repairs to keep it up to standard and to the satisfaction of the Corporation, and in the event of default, the Corporation may make the repairs and charge the same to the Company and on demand the cost of same shall be paid by the Company.

18. The Company shall be entitled to assign this agreement and all its rights hereunder but only first obtaining the approval of the Corporation.

19. By-law No. 1673 for the City of Sarnia having fixed the assessment of the said Company at One Hundred Thousand Dollars (\$100,000.00) and in consideration of the premises the Company on behalf of itself, its successors and assigns, agrees with the Corporation that the fixed assessment of the Sarnia Elevator Company Limited upon so much only of the lands and premises, including dockage, and trackage, as shall be used in the business of the Company shall be Two Hundred Thousand Dollars (\$200,000.00) instead of One Hundred Thousand Dollars (\$100,000.00), and agrees from and after the first day of January after completion of the said addition to pay taxes to the City of Sarnia upon the said basis of a fixed assessment of Two Hundred thousand dollars (\$200,000.00) until the expiration of the time for fixed assessment as fixed by By-law No. 1673, provided, however, that this shall not apply or affect taxes for school purposes or local improvement taxes or business taxes and for school purposes the business assessment shall be made on the full assessable value of the said elevator lands and premises, including dockage and trackage, in connection therewith, but this assessment is subject to the stipulations as set out in the said By-law No. 1673.

20. In case of default by the Company in respect of the terms mentioned in this agreement or in the said agreement of the 31st day of January, 1927, for a period of one year, formal notice may be given by the Corporation to the Company of such default and on the expiry of sixty days thereafter, unless in the meantime the default is remedied, the Corporation may terminate and cancel this agreement and the said agreement of the 31st of January, 1927, and the property shall revert to the Corporation.

21. The agreement made between the Corporation and the Company dated the 30th day of June, 1927, and the agreement made between the said parties dated the 6th day of March, 1928, and registered in the Registry Office for the Registry Division of the County of Lambton on the 7th day of March, 1928, as Number 50482 for the City of Sarnia shall be cancelled and shall be of no further force and effect.

22. The said agreement of the 31st of January, 1927, shall continue in full force and effect and shall be read and construed with reference to the terms of this agreement. Provided however, that in so far as the terms of the said agreement of the 31st of January, 1927, are inconsistent with or are modified by the terms of this agreement the said agreement of the 31st of January, 1927, shall be considered as amended by this agreement and of no further force and effect.

IN WITNESS WHEREOF the said Corporation has affixed its Corporate Seal, attested by the hands of its Mayor and Clerk, and the Sarnia Elevator Co., Limited has affixed its Corporate Seal and signed by its President and Secretary.

SIGNED, SEALED AND  
DELIVERED

in the presence of

[SEAL]

(Sgd.) JOHN COWAN, JR.

[SEAL]

THE MUNICIPAL CORPORATION OF THE  
CITY OF SARNIA.

(Sgd.) W. J. SCOTT, *Mayor.*

(Sgd.) M. D. STEWART, *Clerk.*

THE SARNIA ELEVATOR COMPANY, LIMITED.

(Sgd.) ALLAN R. GRAYDON

*President.*

(Sgd.) THOMAS MACKIE,

*Secretary.*



## CHAPTER 121

## An Act respecting the Township of Stamford.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the township of Stamford has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued and to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of Stamford Act, 1929.*

By-laws and  
debentures  
confirmed.

**2.** The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

No. By-law	Date of Passing By-law	Nature of Work Under By-law	Amount Debt Created	Amount Payable by Township	Amount Payable by Rate-payers	Period of Payment	Rate of Interest
80	April 26th, 1926	A By-law to provide for borrowing \$1,518.51 upon debentures to pay for the construction of concrete sidewalks with curbs and gutters on the North side of Lundy's Lane from Winery Road to Hydro Bridge.	\$1,518 51	\$670 60	\$847 91	20 years	5%
81	April 26th, 1926	A By-law to provide for borrowing \$8,247.80 upon debentures to pay for the construction of concrete sidewalks upon certain streets in the Township of Stamford.	8,247 80	4,067 49	4,180 31	20 years	5%
82	April 26th, 1926	A By-law to provide for borrowing \$7,718.21 upon debentures to pay for the construction of watermains upon certain streets in the Township of Stamford.	7,718 21	.....	7,718 21	20 years	5%
83	April 26th, 1926	A By-law to provide for borrowing \$834.82 upon debentures to pay for the construction of sewers on Portage Road and Livingstone Street, commencing at a point 205 feet North of Livingstone Street to Livingstone Street 477 feet to intersect with sewer on Stanley Street.	834 82	408 97	425 85	30 years	5%
84	April 26th, 1926	A By-law to provide for borrowing \$18,750.21 upon debentures to pay for the construction of sewers on certain streets in the Township of Stamford.	18,750 21	6,325 61	12,424 60	30 years	5%
85	April 26th, 1926	A By-law to provide for borrowing \$2,024.87 to pay for the construction of sewer on Fraser Street from Stanley Street to Hydro Canal.	2,024 87	.....	2,024 87	30 years	5%
86	April 26th, 1926	A By-law to consolidate the sums authorized to be borrowed by Local Improvement By-laws Numbers 80, 81 and 82 above set out.	17,484 52	4,738 09	12,746 43	20 years	5%
87	April 26th, 1926	A By-law to consolidate the sums authorized to be borrowed by Local Improvement By-laws Numbers 83, 84 and 85 above set out.	21,609 90	6,734 58	14,875 32	30 years	5%



## CHAPTER 122

## An Act respecting the Town of Sudbury.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the town of Sudbury has, by its petition, represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued and to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Sudbury Act, 1929.*

Con-  
firmation of  
by-laws and  
debentures.

**2.** The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

No. By-law	Date of Passing By-law	Nature of Work under By-law	Amount Debt Created	Amount Payable by Town	Amount Payable by Rate- payers	Period of Payment	Rate of Interest
1111	Jan. 12th, 1929	A by-law to provide for borrowing \$15,000.00 upon debentures for the purpose of paying for equipment for the waterworks system of the town of Sudbury.	\$15,000.00	\$15,000.00		20 years	5%
1112	Jan. 12th, 1929	A by-law to provide for borrowing \$40,655.00 upon debentures to pay for the construction of the watermain extensions as therein set forth.	40,655.00	9,903.81	\$30,751.19	20 years	5%
1113	Jan. 12th, 1929	A by-law to provide for borrowing \$1,755.00 upon debentures to pay for the construction of the water-works extensions as therein set forth.	1,755.00	340.16	1,414.84	10 years	5%
1114	Jan. 12th, 1929	A by-law to provide for borrowing \$35,000.00 upon debentures for the purpose of paying for the construction of extensions to the Electric Light system of the Town of Sudbury.	35,000.00	35,000.00		20 years	5%
1115	Jan. 12th, 1929	A by-law to provide for borrowing \$10,300.00 upon debentures for the purpose of paying for the construction of a cenotaph and for the Town of Sudbury's proportion of the cost of paving the Flood Mine Road.	10,300.00	10,300.00		10 years	5%
1116	Jan. 12th, 1929	A by-law to provide for borrowing \$22,970.00 upon debentures to pay for the construction of the concrete walks as therein set forth.	22,970.00	4,426.48	18,543.52	10 years	5%
1117	Jan. 12th, 1929	A by-law to provide for borrowing \$102,810.00 upon debentures to pay for the construction of the bituminous and bitulithic pavements as therein set forth.	102,810.00	22,392.37	80,417.63	20 years	5%
1118	Jan. 12th, 1929	A by-law to provide for borrowing \$79,815.00 upon debentures to pay for the construction of the sanitary sewers as therein set forth.	79,815.00	20,697.00	59,118.00	20 years	5%

## CHAPTER 123

## An Act respecting the Town of Tecumseh.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS the corporation of the town of Tecumseh has by its petition represented that on 18th January, 1929, by-law No. 293 of the said corporation was passed by the council authorizing an application to the Legislative Assembly of the Province of Ontario at the next session thereof for special legislation amending chapter 125 of the Statutes of 1921 being *An Act to Incorporate the Town of Tecumseh*, and *The Town of Tecumseh Act, 1927*; and whereas the said corporation has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Town of Tecumseh Act, 1929*.

1927, c. 129,  
s. 3,  
amended.

**2.** Section 3 of *The Town of Tecumseh Act, 1927*, is amended by adding after the word "reeve" in the third line thereof the words, "as many deputy reeves as the said corporation is entitled to under the provisions of *The Municipal Act*"; by adding after the word "reeve" in the tenth line thereof the words "and deputy reeves"; by adding after the word "date" in the tenth line thereof the words "and thereafter every councillor shall be elected to hold office for two years"; and by adding after the word "date" in the twelfth line thereof the words "and thereafter every mayor, reeve and deputy reeve shall be elected to hold office for two years"; so that the section will now read as follows:

Composition of  
council and  
term of  
office of  
members.

**3.** From and after 31st December, 1927, the council of the said corporation shall be composed of and comprise a mayor, a reeve, as many deputy reeves as the said corporation is entitled to under the provisions of *The Municipal Act*, and three councillors, who shall be elected by general vote of the qualified electors of the said town. Of the said three coun-

cillors

cillors the one obtaining the highest number of votes at the election held in December, 1927, shall hold office for the term of two years from and after 31st December, 1927, and the remaining two councillors shall hold office for the term of one year from and after the said last mentioned date; and thereafter every councillor shall be elected to hold office for two years; and the mayor and reeve and deputy reeves shall also hold office for the term of two years from and after the said last mentioned date, and thereafter every mayor, reeve and deputy reeve shall be elected to hold office for two years; provided that in the event of the election by acclamation of all three councillors at the election in December, 1927, the councillor having the highest assessment in the said town according to the last revised assessment roll shall hold office for the said term of two years, and the remaining two councillors shall hold office for the term of one year.

3. Except where inconsistent with the provisions of this <sup>1921, c. 125, and Rev. Stat., c. 233, and 1927, c. 123, to apply where not inconsistent.</sup> Act *The Municipal Act, The Town of Tecumseh Act, 1927*, and chapter 125 of the Statutes of 1921 being *An Act to incorporate the Town of Tecumseh*, and all other Statutes now applicable to the said corporation, its councillors or officers, shall be in full force and effect.

4. This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the royal assent. <sup>ment of Act.</sup>

## CHAPTER 124

## An Act respecting the City of Toronto.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the corporation of the city of Toronto has, by petition, represented that certain lands described in schedule "A" hereto were conveyed to the said corporation by one Jane Prittie, by a conveyance dated the 19th day of April, 1893, subject to a limitation that they should be used for park purposes only, and that the said Jane Prittie has since, by a conveyance dated the 28th day of June, 1928, conveyed the said lands to the said corporation in fee simple without such limitation, and that it is desirable to confirm the title of the said corporation to the said lands; and whereas the said corporation has by the said petition prayed for special legislation in respect to the said matter and to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Declaration  
as to effect  
of convey-  
ance of  
certain lands  
without  
limitation.

**1.** It is hereby declared that the conveyance of the lands described in schedule "A" hereto made by Jane Prittie to the corporation of the city of Toronto dated the 28th day of June, 1928, had the effect of vesting the said lands in the said corporation free and clear from the trust or limitation requiring said lands to be used for park purposes contained in the deed of said lands from the said Jane Prittie to the said corporation dated the 19th day of April, 1893.

Certain  
expenditures  
validated.

**2.** The following expenditures heretofore made or hereafter to be made by the council of the corporation of the city of Toronto are hereby authorized, validated and confirmed,—

(a) A grant of \$500 to the St. Elizabeth Visiting Nurses Association.

(b) A grant of \$2,000 to the British Welcome and Welfare League.

(c)

- (c) A grant of \$45,000 to the Federation for Community Service Fund for the year 1928.
- (d) A grant of \$5,000 to the Federation of the Jewish Philanthropies of Toronto.
- (e) An expenditure of \$4,000 for reception of, and presentations to Canadian winners and contestants in the Olympic games held in 1928.

3. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" shall be legal, valid and binding upon the parties thereto for a period of one year only from the time this Act comes into force.

Agreement with T.T.C. re operation of Ferry to Island confirmed.

4.—(1) The agreement dated the 24th day of September, 1928, made between the said corporation and the Toronto Transportation Commission, set out in schedule "C" hereto, the agreement dated the 18th day of September, 1928, made between the Toronto Transportation Commission and the corporation of the township of Scarborough set out in schedule "D" hereto, and the agreement dated the 24th day of September, 1928, made between the Toronto Transportation Commission, His Majesty the King, and the corporations of the towns of Mimico and New Toronto and of the township of Etobicoke set out in schedule "E" hereto, are hereby confirmed and declared to be legal, valid and binding upon the parties to the said agreements.

Agreements re radial railways, moving of tracks, widening of Lake Shore Road, etc., confirmed.

(2) In the event of the township of Etobicoke constructing as a local improvement any work necessary to carry out the provisions of the said agreement set out in schedule "E" hereto, the portion of the cost of the work which under the provisions of *The Local Improvement Act* would otherwise be borne by the corporation shall be rated and levied on all the rateable property within that portion of the said township lying south of a line located and described as follows, namely,—Commencing at the intersection of the easterly limit of the said township with the production easterly of the southerly limit of College Street; thence westerly along the said production and the said southerly limit of College Street to the easterly limit of Church Street; thence southerly along the said easterly limit of Church Street to the production easterly of the southerly limit of Queen Street; thence westerly along said production and along the said southerly limit of Queen Street to the easterly limit of Kipling Avenue; thence southerly along the easterly limit of Kipling Avenue and its production to the southerly limit of Evans

Levy of corporation's share of work on rateable property in defined area of Township of Etobicoke.

Avenue; thence westerly along the southerly limit of Evans Avenue and its production to the westerly limit of the said township.

By-law  
No. 737  
of Town  
of New  
Toronto,--  
borrowing  
\$65,000 for  
asphalt  
pavement on  
Lake Shore  
Road,  
confirmed.

(3) By-law No. 737 passed by the council of the corporation of the town of New Toronto on the 3rd day of December, 1928, and entitled "A by-law to provide for the borrowing of \$65,000 upon debentures, to pay for the construction of an asphalt pavement on the north side of the Lake Shore Road between the easterly and westerly boundaries of the municipality, as a local improvement," and by-law No. 738 passed by the said council of the town of New Toronto on the 14th day of January, 1929, and entitled "A by-law to provide for the borrowing of \$60,091 upon debentures, to pay for the widening of the Lake Shore Road from the eastern limit of the corporation to the westerly limit of that part of the corporation lying north of the Lake Shore Road," and all debentures issued or to be issued under the said by-laws, or either of them, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the town of New Toronto and the ratepayers thereof.

By-laws  
Nos. 633 and  
702 of Town  
of Mimico,  
confirmed.

(4) (a) By-law number 633 passed by the council of the corporation of the town of Mimico, on the 28th day of June, 1927, and entitled "A by-law to provide for the payment by the corporation of a larger part of the cost of constructing a pavement and curbing on the Lake Shore Road than that provided for by by-law number 632," and by-law number 702, passed by the said council on the 1st day of February, 1929, and entitled "A by-law to amend by-law number 633," are hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation of the town of Mimico and the ratepayers thereof.

Confirma-  
tion of By-  
law No. 680  
of Town of  
Mimico.

(b) By-law number 680, passed by the council of the corporation of the town of Mimico on the 24th day of September, 1928, and entitled "A by-law to authorize the widening of the Lake Shore Road from the east limit of the town to the west limit of the town to a width of 86 feet from the existing southerly limit thereof as a local improvement under the provisions of *The Local Improvement Act*," is hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation of the town of Mimico and the ratepayers thereof.

Confirma-  
tion of By-  
law No. 681  
of Town of  
Mimico.

(c) By-law number 681, passed by the council of the corporation of the town of Mimico on the 24th day of September, 1928, and entitled "A by-law to authorize the construction of a pavement with curb and gutter and surface drainage works 20 feet in width on the Lake Shore Road



from the east limit of the town to the west limit of the town as a local improvement under the provisions of *The Local Improvement Act*," is hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation of the town of Mimico and the ratepayers thereof.

(d) Notwithstanding the provisions of any general or special Act, the council of the corporation of the town of Mimico may borrow from time to time, pursuant to the provisions of *The Local Improvement Act*, on the credit of the corporation at large by the issue and sale of debentures such sums, not exceeding in the aggregate the sum of \$200,000 as may be necessary to defray the cost of any of the works undertaken pursuant to by-laws numbers 680 and 681, and all debentures so issued are hereby declared to be legal, valid and binding upon the corporation of the town of Mimico and the ratepayers thereof.

Power to borrow by issue of debentures.

(e) The amount of any contribution received by the town of Mimico to be applied towards the cost of any work authorized by said by-laws numbers 680 and 681 shall be applied in reduction of the corporation's portion of the cost of said work.

Contributions to be applied on corporation's share.

5.—(1) The corporation of the city of Toronto may widen as a local improvement work the highway known as Nursewood Road by adding thereto a strip of land forming part of lands on the easterly side of said highway in the township of Scarborough acquired by the said corporation for waterworks purposes, and the value of the said strip of land on the date of the passing of the by-law for undertaking the said work, as such value may be fixed by the court of revision, shall form part of the cost of the said work.

Widening of Nursewood Road as local improvement.

(2) The said corporation shall have the same authority to so widen the said highway and to construct on the highway so widened any work authorized by *The Local Improvement Act* to be constructed as a local improvement work, as it would have if the said highway as so widened and all the lands abutting thereon were wholly within the limits of the city of Toronto.

Highway and abutting lands deemed to be in city for purpose of works.

6.—(1) The council of the corporation of the city of Toronto may make an annual grant out of current revenue of not more than \$25,000 in any one year, to the Toronto Industrial and Publicity Commission, and may enter into an agreement with the said commission to provide for the making of such an annual grant for a period not exceeding five years, and upon the expiration of any such period may make a similar agreement for a further similar period of years.

Annual grant of \$25,000 to Toronto Industrial and Publicity Commission for five years.



(2) The council of the corporation of the city of Toronto shall annually appoint one of its members to be a member of the Board of Directors of the said Toronto Industrial and Publicity Commission, and the member so appointed shall be a member of the executive committee or other body or committee carrying on the actual work of the said commission.

Order of  
Municipal  
Board  
annexing  
part of  
Township of  
York to  
City, con-  
firmed.

**7.** The order made by the Ontario Railway and Municipal Board on the 17th day of October, 1923, set out in schedule "F" hereto, is hereby confirmed, and it is hereby declared that the lands therein described have formed part of the city of Toronto since the 4th day of January, 1924.

Certain  
lands in city  
annexed to  
Forest Hill  
Village.

**8.** The following lands shall, from and after the date when this section comes into force, be annexed to and form part of the village of Forest Hill, namely,—

All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Toronto, in the county of York and Province of Ontario, being composed of lots numbers 112, 113, 114, 115, 116 and 117, and Blocks C, D, and E, and of the part of Forest Hill Road adjoining the aforesaid lots and blocks and the reserves lying across both ends of the said road; all according to a plan filed as number 645-E in the Registry Office for the Registry Division of Toronto; which said parcel of land is more particularly described as follows: Commencing at the intersection of the southwesterly limit of the Belt Line Railway with the westerly limit of registered plan number 645-E, the said westerly limit being the existing limit between the city of Toronto and the village of Forest Hill; thence southerly, along the said westerly limit 353 feet  $0\frac{3}{4}$  inches more or less to the southwesterly angle of the said plan; thence easterly, along the southerly limit of the said plan being also along the existing limit between the city of Toronto and the village of Forest Hill 396 feet 7 inches more or less to the aforesaid southwesterly limit of the Belt Line Railway; thence northwesterly, along the last-mentioned limit 529 feet  $11\frac{3}{4}$  inches more or less to the place of beginning.

Tax sales  
and deeds,  
confirmed.

**9.—(1)** All sales of land within the city of Toronto made prior to the 31st day of December, 1927, which purport to have been made by the corporation of the said city or by its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all coveyances of

land so sold executed by the mayor, treasurer and clerk of the said city purporting to convey the said lands so sold to the purchaser thereof or his assigns, or his or their heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or pre-judice the rights of any person under pending litigation. Pending litigation not affected.

10. This Act except section 9 shall come into force on the day upon which it receives the Royal Assent, and section 9 shall come into force on the 1st day of July, 1929. Commencement of Act.

## SCHEDULE "A."

*(Description of lands referred to in Section 1)*

All and singular those certain parcels or tracts of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, and being composed of Lots Numbers Three, Six, Eight, Nine, Ten and Thirteen on the east side of Givens Street; and Lots Numbers Eighty and Eighty-one on the west side of Givens Street, all according to Plan registered in the Registry Office for the City of Toronto as Number 302; also Lots Numbers Eight, Eleven, Twelve, Fifteen, Sixteen, Nine teen and Twenty on the east side of Givens Street in Block "B" as shown on registered Plan Number "D" 29; also Lots Numbers Eighteen and Twenty-one on the west side of Givens Street in Block "A" on said registered Plan "D" 29; also that portion of Lot Seventeen on the west side of Givens Street according to said registered Plan "D" 29, more particularly described as follows, that is to say: Commencing at a point in the Eastern limit of Givens Street at the northeastern angle of a parcel of land conveyed to one, Isaac Graydon, by registered Instrument 9319-B, said point being at the distance of two hundred and eleven feet and ten and one-half inches, more or less, northerly from the southeastern angle of Lot Nine as shown on said plan; thence north seventy-four degrees forty-five minutes west, more or less, along the northerly limit of said parcel of land conveyed to said Graydon twenty-six feet, more or less, to the centre line of the said lot Seventeen, that is the centre line running parallel to the northern limit of the lot; thence westerly along the said centre line of the lot parallel to the said northern limit of said lot Seventeen, one hundred and two feet and three inches, more or less, to the rear of the said lot Seventeen; thence northerly along the rear line of said lot Seventeen twenty-five feet, more or less, to the northwestern angle; thence easterly along the northern limit of said lot Seventeen one hundred and twenty-five feet, more or less, to the northeastern angle of said lot Seventeen; thence southerly along the front of the said lot Seventeen thirty-eight feet and one and one-half inches, more or less, to the place of beginning.

## SCHEDULE "B."

This Agreement made the Twenty-fifth day of July, One thousand nine hundred and twenty-seven.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,  
hereinafter called the "City,"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,  
hereinafter called the "Commission,"

of the second part.

Whereas by an Act passed by the Legislature of the Province of Ontario in the Sixteenth year of the reign of His Majesty King George the Fifth Chapter 100, the City was authorized, subject as therein provided, to acquire, equip, own, control and operate vessels for transporting passengers and freight across the waters of Toronto Bay from or to any point or points on the main land of the City of Toronto or on Toronto Island, and to acquire, lease, construct, equip, maintain and operate all wharves, docks offices and other buildings or erections required for or in connection with the proper operation of such vessels, and also from time to time to pass such By-laws and enter into such agreements as might be necessary to entrust the control, maintenance, operation and management of any vessels, wharves, docks or other property acquired by the City under the provisions of said Act to any person or Corporation for such period of time and upon such conditions as might be set out in the said By-law or agreement;

And whereas under the authority of the said Act the City acquired from the Toronto Ferry Company, Limited, and one Lawrence Solman eight ferry boats as more particularly hereinafter described, together with certain wharves and buildings necessary to the operation of such ferry boats;

And whereas the City under the authority of the said Act subsequently acquired the freight boat known as the "T. J. Clark," together with a gasoline launch known as the "Grayling" and certain trucks and equipment used in connection with the handling of freight by the said freight boat;

And whereas by a certain Indenture of Lease, dated the first day of May, 1926, the City leased from The Toronto Harbor Commissioners certain wharf properties comprising wharves and ferry terminal on the main land near the foot of York Street and wharves on Toronto Island at Island Park, Manitou Road, Ward's Island and Lakeside Home;

And whereas by Report No. 4 of the Board of Control, adopted by the Council of the said City on the twenty-first day of February, 1927, it was recommended that the control, maintenance, operation and management of the properties hereinbefore mentioned should be entrusted to the Commission upon the terms and conditions hereinafter set forth;

Therefore this agreement witnesseth that the Parties hereto have agreed as follows:—

(1) The City hereby entrusts to the Commission the control, maintenance, management and operation of the following properties, namely:

(1) Eight ferry boats known respectively as the Trillium, Bluebell, Mayflower, Primrose, Jasmine, John Hanlan, Clark Brothers and the Luella, together with their equipment.

(2) The freight ferry boat known as the "T. J. Clark" and the gasoline launch known as the "Grayling," together with five hand trucks and sundry equipment used in connection with the handling of freight by the "T. J. Clark" and the "Grayling."

(3) The wharf and dock at Hanlan's Point together with the shelter, office and waiting rooms in connection therewith.

(4) The wharf at Ward's Island.

(5) The wharf and shelter at Island Park, Centre Island.

(6) The wharf at Manitou Road, Centre Island.

(7) The wharf at Lakeside Home, Toronto Island.

(8) The wharves and ferry terminal buildings on the City's side near the foot of York Street located on lands leased to the City from The Toronto Harbor Commissioners.

all of which property is hereinafter referred to as "the ferry properties."

Subject to the consent of the Toronto Harbor Commissioners in respect to these parts of the said properties leased by said Commissioners to the City.

Provided always that with respect to the wharf and dock at Hanlan's Point (including the shelter, office and waiting room in connection therewith) the City and the Commission will both endeavour to have the ownership of this property transferred to the Toronto Harbor Commissioners and leased by the Toronto Harbor Commissioners to the City upon terms to be subsequently arranged, so that it will be in the same position as the other wharf properties above set forth.

(2) The Commission will control, maintain, manage and operate the ferry properties and any additions thereto on behalf of the City, subject to the provisions of this agreement, so as to secure the most effective operation of the same consistent with good management.

(3) (a) The City will from time to time furnish to the Commission on demand such moneys as it may require to carry out its powers and duties hereinunder, including such sum in excess of operating revenues as may be required to meet the full cost of maintenance and operation, which cost shall include such maintenance, renewals, depreciation and debt charges as the Commission shall think proper. Notwithstanding anything in the foregoing, any moneys requested by the Commission for new capital expenditure shall only be furnished it when approved by the Council of the City.

(b) Any moneys provided by the City as above shall, upon the certificate of the Commission, be paid out to it by the Treasurer of the City.

(4) The Commission shall, in particular, but not so as to restrict its general powers and duties, have, with reference to the said ferry properties, the following powers and duties, which it covenants with the City to perform, namely:

(a) To furnish, as far as is reasonably necessary, a passenger and freight service between the main land and the Island.

(b) To fix such tolls and fares as from time to time to the Commission shall seem reasonable and which, as far as possible, will provide sufficient revenue to make such ferry properties self-sustaining.

(c) To keep, observe and perform on behalf of the City the covenants, provisos and conditions of the lease of wharf properties made between the City and the Toronto Harbour Commissioners, dated the first day of May, 1926, and of any further lease of any wharf property to be made by the Toronto Harbor Commissioners to the City or to the Commission, and to indemnify and save harmless the City to the extent of the revenue from the ferry properties from liability, loss, cost or expense under any such covenant, proviso or condition.

(5) The Commission will keep separate books of account with reference to the matters entrusted to it by this agreement and will enter therein all items received or expended in respect of such matters.

(6) All revenues received by the Commission by virtue of the exercise of any of the powers or duties conferred by this agreement shall be kept entirely separate from any other revenue in its possession and it shall be illegal for the Commission to use or resort, whether by way of loan or otherwise, to such first named revenues for any purpose not contemplated by this agreement or to use or resort in a like manner to any other revenues in its possession in aid of the execution of any of the purposes contemplated by this agreement.

(7) In case of joint operation or user of any works or facilities by the transportation services referred to in this agreement and any other transportation facilities operated by the Commission, the Commission may, unless otherwise precluded therefrom, make a fair and equitable apportionment of any revenues or expenditures between or among the various facilities from time to time entrusted to its management.

(8) Immediately after the close of each calendar year the Commission shall submit to the Council of the City a completely audited balance sheet and certified financial statement of the affairs entrusted to it by this agreement, including a revenue and expense account and profit and loss statement, and said statement shall be accompanied by a general report of the operations of the Commission under this agreement during the year.

(9) All books, documents, transactions and accounts of the Commission shall at all times be open for inspection by the Audit Department of the City.

(10) All claims or actions for alleged negligence in the operation of the ferry properties shall be dealt with by the Commission and the Commission shall have the conduct and control of all such claims and actions made or brought against either the City or the Commission and may defend or compromise the same as it deems expedient.

(11) The Commission will, if it deems advisable after providing for maintenance, repair and operation and such maintenance renewals, depreciation and debt charges as it shall think proper, pay to the City any surplus of revenue over expenditures remaining in its hands at the end of any year in respect of the ferry properties and transportation services entrusted to its management by this agreement.

(12) If at any time the Council of the City shall by resolution determine that by reason of the construction of a bridge or bridges to connect the Island with the main land the further operation of a ferry service by or on behalf of the City by the Commission is unnecessary or inadvisable and shall notify the Commission in writing of such determination then this agreement shall terminate at the end of a period of six months after receipt by the Commission of such notice and the Commission shall perform all acts necessary to transfer to the City the ferry properties as they may then exist and all assets and property pertaining thereto; and all rights of the parties hereto shall cease and determine upon the said ferry properties, assets and property being so transferred to the City.

(13) While this agreement continues in force the Commission shall have the right subject to the provisions of any existing leases to occupy and lease any building or erection now existing and heretofore used as a place of refreshment, entertainment or amusement on the City's part, property known as Hanlan's Point, and from time to time to erect, occupy, maintain and lease other buildings for similar uses, provided that all revenue from all such buildings or erections occupied or leased by the Commission shall be added to and form part of the revenues of the ferry properties, and that the Commission will before erecting any such new building or erection obtain the approval of its location by the Commissioner of Parks of the City or the official from time to time performing the duties now performed by the Commissioner of Parks.

The said park property known as Hanlan's Point may be described as follows:—

Firstly: All and singular that certain parcel or tract of land and premises situate, lying and being in the said City of Toronto, containing

by admeasurement three acres and three-hundredths of an acre be the same more or less being composed of part of Toronto Island now in the City of Toronto and which said parcel or tract of land and premises may be more particularly known and described as follows, that is to say: Commencing at a point on the waters edge of Block House Bay as shown on a plan of the herein described premises prepared by Wadsworth and Unwin, Provincial Land Surveyors, dated April 7th, 1881, attached to a lease dated May 2nd, 1881, made to Edward Hanlan, said point being where the production easterly of the northerly face of Hanlan's Old House intersects said water's edge; thence northerly and southerly along said water's edge to a point on the east shore of Hanlan's Bay, where it is intersected by the production westerly of the northerly face of Hanlan's Old House; thence easterly along the northerly limit of a road one chain in width as shown on said plan to the place of beginning, and Secondly: All and singular that certain parcel or tract of land and land covered by water lying to the west, north and east of Hanlan's Point on Toronto Island, and which may be more particularly described as follows, that is to say: Commencing at a point at the water's edge at the westerly side of Hanlan's Point where the same is intersected by a line drawn parallel with the northerly limit of lot Number Eighty-two, according to Plan D 141, registered in the Registry Office for the City of Toronto at a distance of eight hundred and twenty-seven and seven-tenths feet, measured northerly therefrom, and at right angles thereto; thence north seventy-eight degrees twenty-six minutes west magnetic two hundred and seventy-five feet; thence north two degrees forty-nine minutes east magnetic nine hundred and ninety-five feet; thence north eighty-nine degrees four minutes east magnetic four hundred and fifty feet; thence south eight degrees thirty-eight minutes east magnetic, one thousand and forty-two feet to the southerly limit of the Turner Water Lot as shown upon said Plan; thence north eighty-eight degrees forty-nine minutes west magnetic along the southerly limit of said Turner Water Lot thirty-eight feet; thence south twenty-six minutes west magnetic thirty-four feet six inches; thence south sixty-two degrees twenty-six minutes west magnetic fifty-two feet two inches to the easterly limit of that part of Hanlan's Point heretofore leased by the City to Edward Hanlan, by lease dated May 2nd, 1881; thence northerly, westerly and southwesterly following the limits of the lands leased as aforesaid to the place of beginning. Thirdly: All and singular that certain parcel or tract of land and premises situate lying and being on Toronto Island, in the City of Toronto, in the County of York and Province of Ontario, being composed of part of an unnumbered lot lying to the north of lot Number Eighty-two according to a plan filed in the Registry Office for the Registry Division of Toronto as D 141 (said unnumbered lot being sometimes known as Lot Number Eighty-three according to said Plan D 141) which said parcel may be more particularly known and described as follows: Commencing at a point in the westerly limit of said unnumbered lot which may be located as follows: Beginning at the Stone Monument planted to mark the northwesterly angle of lot Number Eighty-two, according to said Plan D 141; thence north twelve degrees, twenty-one minutes east three hundred and fifty-two feet; thence north fifteen degrees, eleven minutes east two hundred and fifty-three feet to the point of commencement aforesaid; said point being where the said westerly limit of said unnumbered lot is intersected by the southeasterly edge of a concrete walk, running in a northeasterly direction across said lot; thence northerly and easterly along the southeasterly edge of said concrete walk on a curve to the right, having a radius of about ninety-two feet, eighty-four feet and eight inches to a point in the edge of said concrete walk distant eighty-one feet and ten inches measured on a course north forty degrees five minutes east from the point of intersection aforesaid; thence north seventy-seven degrees twenty-nine minutes east still along said southeasterly edge of said concrete walk fifty-one feet and three inches; thence north sixty-seven degrees east still along said southeasterly edge of said concrete walk sixty-five feet and three inches; thence south eighty-three degrees fifty-six minutes east along said southeasterly edge of said concrete walk and its production easterly fifteen feet and one inch to the easterly limit of said unnumbered lots; thence north seventeen degrees fifty-one minutes east along last limit sixty-five feet and two and one-half inches to a point of curve; thence northerly and westerly along the northeasterly limit of said lot, on a curve to the left, having a radius of thirty-four feet and one inch fifty-seven feet and eight inches to the end of said curve; thence north seventy-nine degrees, four minutes west along



the northerly limit of said lot fifty-four feet and three inches to a point of curve; thence westerly and southerly, along the northwesterly limit of said lot, on a curve to the left, having a radius of seventy feet one hundred and seven feet six inches to the end of said curve; thence south twelve degrees fifty-six minutes west along the westerly limit of said lot one hundred and sixty-five feet to the point of commencement. Containing by admeasurement .483 acres be the same more or less.

(14) In the event of legislation being required to carry into effect any of the objects of this agreement, the parties hereto agree to use their best endeavours to have this agreement ratified by legislation at the next session of the Ontario Legislature.

In witness whereof the parties hereto have caused to be affixed their Corporate Seals by the hands of their proper officers.

SIGNED, SEALED AND DELIVERED,

TORONTO TRANSPORTATION COMMISSION,

in the presence of:

(Sgd.) "P. W. ELLIS," *Chairman.*

(SEAL)

(Sgd.) "H. S. CAMERON," *Secretary*

(Sgd.) "THOMAS FOSTER,"

(CITY SEAL)

*Mayor.*

(Sgd.) "H. REBURN,"  
*Deputy Treasurer.*

### SCHEDULE "C."

This agreement made the 24th day of September, one thousand nine hundred and twenty-eight.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,  
hereinafter called the "City,"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,  
hereinafter called the "Commission,"

of the second part.

Whereas by a certain Statute passed by the Legislature of the Province of Ontario in the Sixteenth year of the reign of His Majesty King George the Fifth, Chapter 113, Section 5, the City was authorized to transfer to the Commission the control, management and operation of the Toronto Radial Railways therein described upon such terms as might be agreed upon;

And whereas under and by virtue of an agreement made between the parties hereto and dated the seventh day of January, 1927, which agreement was validated and declared effective by Statute of the Province of Ontario, 17 George V, Chapter 58, Section 9, the City transferred to the Commission the control, management and operation of the said railways as therein described and as more particularly described in the Schedule to an agreement between the City and the Hydro-Electric Power Commission of Ontario set forth in Schedule One to the said Statute;

And whereas the Commission is operating the said railways under the provisions of the said agreement and has requested that certain changes as hereinafter set forth be made in the terms and conditions under which the Commission is to continue the control, management and operation of the Mimico and Scarboro Division of the said Railways;

And

And whereas there are outstanding debentures issued by the City for capital expenditures on the said Divisions to the amount of \$558,000.00 in respect to the Mimico Division and to the amount of \$419,000.00 in respect to the Scarboro Division.

Now therefore this Agreement witnesseth that the parties hereto have agreed as follows:—

1. The Commission is hereby authorized to incorporate in its City System the Mimico and Scarboro Divisions of the Toronto Radial Railways (as such Divisions are described in said agreement of seventh January, 1927, and in Schedule One to the said Statute 17 George V, Chapter 58) upon a date or dates to be subsequently agreed upon.

2. From and after such date or dates.

(a) The provisions of the Statute of the Province of Ontario, 10-11 George V, Chapter 144 and amendments thereto, shall apply *mutatis mutandis* to the said Mimico and Scarboro Divisions as if such Divisions had originally been subject to the provisions of such Statute.

(b) The Commission will charge on such Divisions such tolls and fares in addition to the City fares as it may from time to time determine.

(c) The Commission will assume liability for the outstanding debt for capital expenditures in connection with the said Mimico and Scarboro Divisions and will from time to time furnish the City on demand with all moneys required to make payments of the interest or principal of such debt.

(d) The City will no longer be required to furnish the Commission with any money required for the purposes of either of the said two Divisions except as provided in the said Statute, 10-11 George V, Chapter 144.

(e) All revenues derived from such Divisions shall be placed by the Commission to the credit of its City System and it shall be no longer necessary for the Commission to keep separate books of account for such Divisions.

3. The terms of the agreement between the Commission and the City, dated the seventh day of January, 1927, are hereby varied to the extent necessary to carry out the provisions of this agreement but in all other respects shall remain in full force and effect.

4. The parties hereto agree to use their best endeavours to have this agreement ratified by the Legislature of the Province of Ontario at the next Session thereof.

In witness whereof the parties hereto have hereunto set their Corporate Seals by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED,

in the presence of: (Sgd.) "SAMUEL MCBRIDE," Mayor.  
(City of Toronto Seal) (Sgd.) "GEO. H. ROSS," Treasurer.

"THE TORONTO TRANSPORTATION COMMISSION,"  
(Sgd.) "P. W. ELLIS," Chairman.  
(Seal of T.T.C.) (Sgd.) "H. W. TATE," Secretary (pro tem.)



## SCHEDULE "D."

Memorandum of Agreement made this 18th day of September, 1928.

## BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF SCARBOROUGH,  
hereinafter called the "Township,"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,  
hereinafter called the "Commission,"

of the second part.

Whereas the Commission, pursuant to an agreement with the Corporation of the City of Toronto, dated the 7th day of January, 1927, made pursuant to *The Toronto Radial Railways Act, 1926*, and ratified by *The Toronto Radial Railway Act, 1927*, has assumed the operation, control and management of the railways mentioned in the said Acts, including the railway referred to therein as the "Scarboro Division";

And whereas the said Scarboro Division is at the present time a single-track railway with the necessary switches and turnouts, located in part on the Kingston Road within the municipal limits of the Township and to the south of the travelled portion of the said road;

And whereas the Township is desirous of having the said railway on Kingston Road between the western limit of the Township and Birchmount Road moved to the centre of the said highway and of having such railway double-tracked and the said highway paved, all as shown upon Plan R-6-251 filed in the head office of the Commission and identified by the signatures of the officers of the parties hereto, and the Commission has agreed to move and double-track such railway upon the terms and conditions hereinafter set out;

Now therefore this agreement witnesseth:—

1. Within a reasonable period after the execution of these presents the Commission will remove its said railway to its new location in the centre of the said highway as shown upon plan annexed hereto and will double-track the same.

2. The full cost of the removal of the said track and of the construction of the new track in the centre of the said highway, including reconstruction of overhead and the provision of additional foundation necessary on account of railway operation, shall be borne by the Commission.

3. The cost of paving the space between lines sixteen inches outside of the gauge side of each of the outer rails of the railway, such space being hereinafter referred to as the "track allowance," shall be borne by the Commission, but forthwith after the completion of such paving the Township shall pay to the Commission a sum equal to the cost of a pavement (and foundation for the same) on the track allowance of the same type and construction as is to be laid on the roadway outside the track allowance.

4. The Commission will from time to time maintain in repair the paving within the track allowance but the full cost of such maintenance shall be from time to time borne by the Township, such cost, however, in no case to include the cost of paving repairs rendered necessary by reason of any work done by the Commission in respect of the railway as such.

5. Whenever either the Commission or the Township desires to carry out any work of maintenance or repair or otherwise which may in any way affect, on the one hand the railway of the Commission or on the other hand the municipal works or services of the Township, it shall, except in cases of emergency, give the other party reasonable notice thereof and shall bear the full cost of repairing or replacing any part of the undertaking of such other party injured or destroyed by the carrying out of such work.

6. The Commission shall have, in respect to the double-track railway to be constructed pursuant to this agreement and in respect of its new location, the same rights, powers and privileges which it possesses at present in respect of the railway in its present location but such latter rights, powers and privileges in respect of that portion of the railway to be superseded shall cease and determine upon the construction of such new railway.

7. The Commission shall, where practicable, by sweepers or otherwise, remove snow from off the track allowance and will not be liable for the cost of any snow removal from the highway other than from its track allowance as aforesaid.

8. The Commission and the Township agree to permit each other such mutual use of poles as may be reasonable and necessary on fair and reasonable terms.

9. The Commission shall have the free use of any storm or combined sewers of the Township without cost for the drainage of surface water from its tracks, it being understood, however, that the Commission will bear the full cost of any drains connecting with such sewers and of any necessary connections.

10. The Township agrees to have furnished on that portion of the said highway covered by this agreement adequate street lighting.

11. The Township will during the term of this agreement at the request of the Commission, take all means within its power and in particular will pass and enforce such by-laws as it may from time to time legally pass, to prevent the operation of street railways, busses, jitneys or other forms of public transportation other than taxicabs, within the municipal limits from time to time where such public transportation is in any particular in competition with any transportation service from time to time operated in the Township by the Commission.

12. The parties hereto covenant and agree, each with the other, to use their best endeavours to have this agreement and any by-law passed by the Township for the purpose of carrying the same into effect, ratified by the Legislature of the Province of Ontario at the next Session thereof.

In witness whereof the parties hereto have hereunto caused their and each of their Corporate Seals to be hereto affixed, attested by the hands of their proper officers in that behalf.

TOWNSHIP OF SCARBORO,

(SEAL) (Sgd.) "GEO. B. LITTLE," *Reeve*.

(Sgd.) "W. D. ANNIS," *Clerk*.

THE TORONTO TRANSPORTATION COMMISSION,

(SEAL) (Sgd.) "P. W. ELLIS," *Chairman*.

(Sgd.) "H. S. CAMERON," *Secretary*.

## SCHEDULE "E."

Memorandum of Agreement made this 24th day of September, A.D. 1928.

BETWEEN:

HIS MAJESTY THE KING, REPRESENTED BY THE HONOURABLE  
THE MINISTER OF PUBLIC WORKS AND HIGHWAYS OF THE  
PROVINCE OF ONTARIO,

of the first part;

THE CORPORATION OF THE TOWN OF MIMICO,

of the second part;

THE CORPORATION OF THE TOWN OF NEW TORONTO,

of the third part;

THE CORPORATION OF THE TOWNSHIP OF ETOBICOKE,

of the fourth part;

THE PARTIES OF THE FIRST, SECOND, THIRD AND FOURTH  
PARTS (hereinafter called the "Highway Authorities");

AND THE TORONTO TRANSPORTATION COMMISSION (here-  
inafter called the "Commission"),

of the fifth part.

Whereas the Lake Shore Road within the municipal limits of the above-mentioned municipalities is a provincial highway within the meaning of *The Highway Improvement Act, 1926*, and as such is vested in His Majesty the King and is under the control of the Department of Public Highways;

And whereas the said Department is desirous of widening the above-described portion of the said Lake Shore Road, which portion of the said road is hereinafter referred to as the "Highway";

And whereas the Commission, pursuant to an agreement with the Corporation of the City of Toronto, dated the 7th day of January, 1927, made pursuant to *The Toronto Radial Railways Act, 1926*, and ratified by *The Toronto Radial Railway Act, 1927*, has assumed the operation, control and management of the railways mentioned in the said Acts, including the railway referred to therein as the "Mimico Division";

And whereas the said Mimico Division is at present a single-track railway with the necessary switches and turnouts located in part on the said highway to the north of the travelled portion thereof;

And whereas all the parties hereto are desirous of moving the said railway to the centre of the said highway as widened or to be widened and of having such railway double-tracked, and the Commission, with the consent and concurrence of the Corporation of the City of Toronto, has agreed to carry out such works upon the terms and conditions hereinafter set out;

Now therefore this Agreement witnesseth:—

1. Within a reasonable period after the execution of these presents the Commission at its sole cost and expense will remove its said railway to its new location in the centre of the said highway as shown upon the plan annexed hereto, will double-track the same and will pave the space between lines 16 inches outside of the gauge side of each of its outer rails, such space being hereinafter referred to as the "track allowance."

2. The Commission will from time to time maintain the pavement with the track allowance but the full cost of such maintenance shall be borne by the Highway Authority in which from time to time is vested that part of

the

the Highway on which such pavement is laid, such cost, however, in no case to include the cost of paving repairs rendered necessary by reason of any work done by the Commission in respect of the railway as such.

3. All such construction to be done by the Commission in carrying out the obligations imposed upon it by Paragraph 1 hereof shall be in accordance with the Commission's standard practice for such construction.

4. The Commission will, at a consideration to be fixed by the party of the first part, procure the lands coloured red upon plans prepared by the Commission numbered R-6-234, R-6-235, R-6-236 and R-6-237, copies of which plans are identified by the signatures of the officers of the parties hereto and filed at the head office of the Commission, to be conveyed to or otherwise vested in the party of the first part in fee simple free, clear and discharged of all and every mortgage, charge, lien and encumbrance, but subject to any existing easements or rights-of-way over or through such lands; such lands when so conveyed or vested as aforesaid to form part of the said highway.

5. The Highway Authorities will procure the lands coloured yellow on the plans referred to in the next preceding paragraph to be conveyed to or otherwise vested in the party of the first part in fee simple free, clear and discharged of all and every mortgage, charge, lien and encumbrance, to form part of the said highway.

6. The Commission shall have the right for all time to maintain the double-track railway to be constructed pursuant to this agreement in the location shown upon the plans referred to in the next preceding paragraph; and upon such railway being constructed all rights and privileges of any party hereto with reference to the construction or operation of railways or street railways upon the highway shall, save as provided for in this agreement and in *The Ontario Railway Act*, cease and determine.

7. The Commission agrees:—

(a) That the gauge of the railway shall at all times be the same as that of its system within the City of Toronto.

(b) To construct and continuously maintain a connection between the said railway and its said system within the City of Toronto, it being understood, however, that no obligation of any nature or kind is hereby imposed upon it in respect of the construction or maintenance from time to time of a bridge or bridges over the Humber River.

(c) To operate into the City of Toronto at least as far east as Roncesvalles Avenue or Roncesvalles Avenue produced, the cars of its regular service on the highway, it being distinctly understood that for any operation within the present limits of the City an additional fare shall be paid by each passenger, but such additional fare shall entitle such passenger to all rights enjoyed from time to time by a passenger upon the City System in respect of such fare.

8. The Commission will at all times supply the necessary cars, rolling stock and equipment to provide for an adequate service on the said railway and will at all times operate the said railway in an efficient and proper manner and maintain the same in good order, condition and repair.

9. The Commission shall, were practicable, by sweepers or otherwise, remove snow from off the track allowance to the sides of the road and shall not be liable for the cost of any snow removal from the highway other than from its track allowance as aforesaid.

10. The Commission and the Highway Authorities agree to permit each other such mutual use of poles as may be reasonable and necessary on fair and reasonable terms.

11. The Commission shall have the free use of any storm or combined sewers of any of the Highway Authorities without cost for the drainage of surface water from its tracks, it being understood, however, that the Commission will bear the full cost of any drains connecting with such sewers and of any necessary connections.

12. The Highway Authorities, other than the Party of the First Part, agree to have furnished on that portion of the said Highway covered by this agreement adequate street lighting.

13. Whenever either the Commission or any of the Highway Authorities desires from time to time to carry out any work of maintenance, repair or otherwise which may in any way affect, on the one hand the municipal works or services of the said Highway Authority or on the other hand the railway of the Commission, it shall, except in cases of emergency, give the other party reasonable notice thereof and shall bear the full cost of repairing or replacing any part of the undertaking of such other party injured or destroyed by the carrying out of such work.

14. The Commission agrees that the tolls and fares to be charged by it from time to time on the said Mimico Division shall not be higher than is necessary to make such railway, together with any additions or extensions thereto, whether by rail, motor bus or otherwise, within the existing municipal limits of the parties of the Second, Third and Fourth Parts and south of the line coloured green upon the plan annexed hereto, self-sustaining, after providing for such maintenance, renewals, depreciation and debt charges as the Commission may think proper; and notwithstanding anything in any act or agreement contained the Commission may charge such tolls or fares; provided, however, that the fares, either cash or ticket, to be charged from time to time upon that portion of the said Mimico Division covered by this agreement, for any class of passengers, shall not exceed the fares being charged in the City of Toronto for the time being in respect of a similar class of passengers.

15. The Parties of the Second, Third and Fourth Parts will, during the terms of this agreement, at the request of the Commission, take all means within their respective powers and in particular will pass and enforce such by-laws as they may from time to time legally pass to prevent the operation of street railways, busses, jitneys or other forms of public transportation (other than taxicabs) within their respective municipal limits from time to time, and south of the line coloured green upon the plan annexed hereto.

16. The Party of the Fourth Part will not consent to, agree to or grant any franchise or right to any person, firm or corporation to operate a street railway, busses, jitneys or other forms of public transportation (other than taxicabs) north of the green line referred to in the next preceding paragraph hereof unless the said Party of the Fourth Part, by notice in writing, first offers the said franchise or right to the Commission and the latter during a period of sixty days from the date of such offer neglects or refuses to agree by notice in writing to construct such street railway or operate such franchise or right within a reasonable period of time.

17. Notwithstanding any Act of the Legislature of the Province of Ontario which may hereafter be passed, the parties hereto agree that all works, structures, etc., of the Commission of every nature and kind situate in or upon the highway shall continue to be exempt from assessment or taxation for any purpose whatsoever.

18. This agreement shall not be assignable by any party hereto.

19. In consideration of the various covenants and agreements herein contained on the part of the parties of the Second, Third and Fourth Parts, the Commission agrees to pay annually during the continuance of this agreement the sum of Twenty-five hundred dollars (\$2,500.00) to each of such parties, the first of such payments to be made one year after operation is commenced by the Commission upon the new track location provided for by this agreement and subsequent payments annually thereafter upon such date.

20. The Parties hereto covenant and agree, each with the other, to use their best endeavours to have this agreement and any by-laws passed by the municipalities or any of them for the purpose of carrying the same into effect or for the widening and paving of the highway, ratified by the Legislature of the Province of Ontario at the next session thereof.

IN WITNESS WHEREOF the parties hereto have hereunto caused their and each of their corporate seals to be thereto affixed, attested by the hands of their proper officers in that behalf.

THE CORPORATION OF THE TOWN OF NEW TORONTO (SEAL)	THE TOWNSHIP OF ETOBICOKE (SEAL)
"GEO. C. WARNER," <i>Mayor.</i>	"J. RAY PRICE," <i>Reeve.</i>
"W. H. C. MILLARD," <i>Clerk.</i>	"S. BARRATT," <i>Clerk.</i>
THE CORPORATION OF THE TOWN OF MIMICO (SEAL)	THE TORONTO TRANSPORTATION COMMISSION (SEAL)
"W. A. EDWARDS," <i>Mayor.</i>	"P. W. ELLIS," <i>Chairman.</i>
"H. B. FOREMAN," <i>Clerk.</i>	"H. S. CAMERON," <i>Secretary.</i>
"G. H. FERGUSON," <i>Acting Minister of Highways.</i>	

### SCHEDULE "F."

P.F. 8682

#### THE ONTARIO RAILWAY AND MUNICIPAL BOARD

BEFORE:

D. M. McINTYRE, ESQ., K.S., <i>Chairman;</i>	} Wednesday, the Seventeenth day of October, 1923.
A. B. INGRAM, ESQ., <i>Vice-Chairman, and</i>	
J. A. ELLIS, ESQ., <i>Commissioner.</i>	

In the matter of the application of Upper Canada Estates, Limited, and others, for annexation to the City of Toronto of certain lands in the Township of York.

Upon the application of the above-named Applicants, upon reading the Petition of said Applicants, the Resolution of the Council of the Corporation of the City of Toronto passed on the Twenty-eighth day of May, 1923, declaring the expediency of such annexation, and Notice of such Resolution and Petition having been duly given by the said Council to the Council of the Township of York and to the Council of the County of York, respectively, and Notice of the Hearing of this Application having been duly served, advertised and posted, and upon hearing what was alleged by Counsel on behalf of the Corporation of the City of Toronto;

1. The Board orders and declares that the lands and premises in the Township and County of York included in said Petition and being described as follows:—

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of York, in the County of York and Province of Ontario, being composed of part of Lot Number Twenty-two in the third concession from the Bay, in the Township of York; part of Block "A" and part of a block of land known as "Upper Canada College Block" according to plan No. 890; Lots Numbers Eight to Thirteen inclusive, Twenty-eight to Thirty-three inclusive and Forty-eight to Fifty inclusive, part of Avenue Road, part of Killarney Road and part of Grahame Road, all according to Plan No. 2232, and all the lands included in Plan No. 2369; all said plans or parts thereof being filed in the Registry Office for the County of York, which said parcel may be more particularly known and described as follows:—Commencing at the northwesterly angle of the lands annexed to the City of Toronto, in accordance with an Order of the Ontario Railway and Municipal Board, dated December 15th, 1908; thence northerly on the production northerly of the lands annexed as aforesaid to a point distant one hundred and twenty feet south of the southerly limit of Kilbarry Road; thence westerly, parallel to the southerly limit of said road to the production southerly of the westerly limit of Lot Number Eight, according to Plan No. 2232; thence northerly, along said production

and



and along the westerly limits of Lots Eight to Thirteen, Twenty-eight to Thirty-three and Forty-eight to Fifty, and across the intervening roads according to said Plan No. 2232 to the northwesterly angle of Lot Number Fifty; thence still northerly, on the production northerly of the westerly limit of said lot Number Fifty to the southerly limit of the lands of the Toronto Belt Line Railway; thence in a northwesterly direction along said limit to the limit of the City of Toronto as defined in an order of the Ontario Railway and Municipal Board dated December 15th, 1912; thence easterly, southerly, easterly and southerly, following the limits of the City of Toronto as defined in the last-mentioned Order to the northerly limit of the City of Toronto as defined in the first-mentioned Order; thence westerly along last-mentioned limit to the place of beginning, be and the same are hereby annexed to the Corporation of the City of Toronto subject to the following terms and conditions, namely:—

(1) That the annexation shall come into force on the fourth day of January, 1924.

(2) That the said lands shall be added to and form part of Ward Number 3.

(3) That the Corporation of the Township of York shall forthwith prepare and furnish to the Corporation of the City of Toronto a special roll showing all arrears of taxes or special rates assessed against the lands above described up to the third day of January, 1924, and the persons assessed therefor.

(4) That the said arrears of taxes according to said special rolls shall be collected by the Corporation of the City of Toronto and that the right to collect same, including the right to distress for non-payment of said arrears, or if necessary, the right to sell the said lands, if any, for non-payment of such arrears shall be vested in the Corporation of the City of Toronto but the proceeds of the collection of such arrears or any part of same after deducting therefrom the proper costs and expenses in connection with the collection of same shall be repaid by the Corporation of the City of Toronto to the said Corporation of the Township of York within six months from the date of collection.

(5) That rates equal to those now levied against the properties on Kilbarry Road in respect to local improvements, if any, shall be levied on the lands so annexed and for the term stated in the By-laws of the Township authorizing such levy.

(6) That the Corporation of the Township of York shall indemnify and save harmless the Corporation of the City of Toronto from all loss, costs, charges and expenses arising from the collection or attempted collection of any arrears as shown on said special roll.

(Sgd.) A. B. INGRAM,  
*Vice-Chairman.*

(Seal of The Ontario Railway  
and Municipal Board.)

## CHAPTER 125

## An Act respecting the City of Toronto.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the city of Toronto has Preamble.  
by petition prayed for special legislation in respect to  
the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

**1.**—(1) Subsection 1 of section 6 of the Act passed in 1928, c. 88,  
1928 and chaptered 88 is amended by striking out the s. 6, subs. 1  
amended.  
description of lands therein contained and by inserting in  
lieu thereof the following description:

“All and singular that certain parcel or tract of land  
and premises situate, lying and being in the city  
of Toronto, in the county of York and Province of  
Ontario, being composed of parts of lots numbers 56  
to 63, inclusive, according to a plan filed in the  
Registry Office for the said city as number D178,  
which said parcel may be more particularly known  
and described as follows—Commencing at the  
northeasterly angle of lot number 63; thence  
southerly along the easterly limit of lot number 63,  
a distance of 8 feet more or less to the intersection  
of a line drawn from the northeasterly angle of lot  
number 6, according to plan number 139, to a  
point in the westerly limit of lot number 62, accord-  
ing to plan number D178, distant 10 feet measured  
southerly thereon from the northerly limit thereof;  
thence westerly, along the line so drawn 120 feet  
more or less to the westerly limit of lot number 62;  
thence westerly along a line drawn from the afore-  
said point in the westerly limit of lot number 62 to  
a point distant 15 feet measured southerly from and  
at right angles to the southerly limit of Bloor Street  
from a point distant 762 feet 5 inches measured  
westerly, along the said southerly limit of Bloor

Street



Street from the aforesaid westerly limit of lot number 62, a distance of 490 feet more or less to the westerly limit of lot number 56; thence northerly along the westerly limit of the said lot 13 feet 2½ inches more or less to the southerly limit of Bloor Street; thence easterly along the said southerly limit of Bloor Street, 610 feet more or less to the point of commencement."

(2) This section shall take effect as if it had come into force on the 3rd day of April, 1928.

Power to  
build bridge  
over Humber  
River  
(\$550,000).

**2.**—(1) The corporation of the city of Toronto may build a bridge with approaches at either end of same, across the Humber River between a point in the city of Toronto and a point in the township of Etobicoke to carry the highway known as the Lake Shore Road across the said river in a location southerly from the existing bridge across the said river on said highway, and the council of the said corporation may from time to time either before or after the construction of the said bridge and approaches without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures, maturing not later than thirty years after their issue, to raise an amount not exceeding in the aggregate \$550,000, or any portion thereof, to pay for the cost of the construction of the said bridge and approaches or for any other cost or expense incidental to the construction of the said bridge and approaches.

Cesser  
of mainten-  
ance of  
existing  
bridge.

(2) Upon the said bridge being completed and opened to traffic the corporation of the city of Toronto shall no longer be required to maintain or continue as a public highway the said existing bridge across the River Humber or the portion of the Lake Shore Road lying within the limits of the city of Toronto west of the said river.

Power  
to borrow  
\$1,969,780  
for certain  
purposes  
without  
assent of  
electors.

**3.** The council of the corporation of the city of Toronto may from time to time, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the sum of \$1,969,780, or any portion thereof, for the following purposes, namely:

For the purchase of additional land to enlarge the College Street Public Library site....	\$35,000
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For the enlargement of the Runnymede Branch Library.....	20,000
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For relief sewers and sewer outlets.....	202,780
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For

For the reconstruction of the Gerrard Street and Carlaw Avenue subway with street diversion..... \$312,000

For the extension of Bathurst Street southerly from Front Street, including a bridge and any other necessary works and cost of acquisition of the necessary lands, and other cost incidental to the said extension. 1,400,000

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\$1,969,780

4. The council of the corporation of the city of Toronto may make an annual grant not exceeding \$1,000 to Mr. W. F. Ardagh, formerly a member of the court of revision for the said city.

Grant  
to W. F.  
Ardagh.

5. The corporation of the city of Toronto may build a new automotive building in Exhibition Park, and the council of the said city may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise a sum not exceeding \$1,000,000, to pay the cost of the construction of the said building and of making improvements in the said park in connection with the construction of the said building.

Erection of  
automotive  
building in  
Exhibition  
Park.

6. The council of the corporation of the city of Toronto may out of current revenue for the year 1929 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in 1927 and chaptered 134.

Grant of  
additional  
\$10,000  
to Art  
Gallery.

7. The council of the corporation of the city of Toronto may make a grant of \$15,000, and the Toronto Electric Commissioners may make a grant of \$10,000, towards the cost of erecting in the city of Toronto a memorial to the late Sir Adam Beck.

Grants to  
erection of  
Memorial to  
Sir Adam  
Beck.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 126

## An Act respecting the City of Windsor.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the municipal corporation of the city of Windsor has by petition represented that differences have arisen between the said corporation and the Detroit River Tunnel Company and the Michigan Central Railroad Company with reference to the right of the said municipal corporation to assess portions of lands of the said companies and also as to the amount of such assessment; and whereas in order to settle such differences an agreement was duly entered into on behalf of the said municipal corporation with the said companies on the 14th day of January, 1929, for a period of fifteen years from the 1st day of January, 1929, fixing the annual assessment upon the property of the said Detroit River Tunnel Company at the sum of \$1,350,000 and that the assessment roll of the said municipal corporation for the year 1928 should be amended accordingly; and whereas the said municipal corporation did on the 14th day of January, 1929, unanimously pass a by-law approving, adopting and confirming the said agreement; and whereas it was the intention of such assessment that such fixed assessment upon the property of the Detroit River Tunnel Company should be the whole assessment upon the tunnel within the Canadian boundary; and whereas the said municipal corporation by its petition has further represented that in this and other respects it would be in the interest of the said corporation that the northerly limit of the city of Windsor be extended to the Canadian boundary; and whereas the said municipal corporation by the said petition prayed that an Act may be passed ratifying and confirming the said by-law and ratifying and legalizing the said agreement and declaring both to be valid and binding upon the said corporation and the said companies; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law  
No. 3910  
and agree-  
ment re  
assessment  
of tunnel,  
confirmed.

**1.** By-law 3910 of the municipal corporation of the city of Windsor set forth as schedule "A" to this Act is hereby confirmed and declared to be legal, valid and binding, and

the

the agreement set forth in schedule "B" to this Act is also confirmed and declared to be legal, valid and binding and shall in all respects have the same force and effect as though the same were expressly embodied in this Act.

2. The assessment roll of the municipal corporation of the city of Windsor for the year 1928 shall be amended by the clerk of the corporation with respect to the property of the said companies so as to carry into effect the provisions of said agreement and this Act in that behalf.

Amendment  
of assess-  
ment roll  
for 1928.

3. Notwithstanding anything contained in any statute or order in council, the limits of the city of Windsor shall extend to the boundary of the Province of Ontario in the Detroit River in prolongation of the outlines of such corporation.

Extension  
of limits of  
city.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A."

### BY-LAW No. 3910

A by-law respecting the assessment and taxation of The Detroit River Tunnel Company.

Whereas certain differences have arisen between the Corporation of the City of Windsor, on the one side, and The Detroit River Tunnel Company and the Michigan Central Railroad Company, on the other side, with reference to the assessment and taxation by the Corporation of the City of Windsor of the property belonging to The Detroit River Tunnel Company, within the Municipality of the City of Windsor;

And whereas such differences exist both in respect of the legal rights of the City Corporation to assess and tax the tunnel, as well as the amount for which same should be assessed and taxed;

And whereas it has been agreed between the Corporation and the said Companies that for the purpose of settling such differences for the next fifteen (15) years, the annual assessment of the tunnel shall be fixed at the sum of One Million Three Hundred and Fifty Thousand Dollars (\$1,350,000.00) during the said period, but that the legal rights of the Corporation and the Companies shall not be affected by anything herein contained when this By-law ceases to be operative;

And whereas the Corporation has agreed to petition the Legislature for an Act to validate this by-law, and the Agreement made in pursuance hereof;

Therefore the Council of the Corporation of the City of Windsor hereby enacts as follows:

1. That the annual assessment of the tunnel shall be, and the same is hereby fixed at the sum of One Million Three Hundred and Fifty Thousand Dollars (\$1,350,000.00) for each and every of the years 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942 and 1943;

And

And be it further enacted that an Agreement, a copy of which is hereto attached, is hereby approved of, and that the Mayor and Clerk of the Corporation be and they are hereby authorized to execute same under the seal of this Corporation.

Read a third time and passed in Council this 14th day of January, 1929.

(SEAL)

(Sgd.) C. E. JACKSON, *Mayor*.

(Sgd.) M. A. DICKINSON, *Clerk*.

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### SCHEDULE "B."

This agreement made in triplicate the 14th day of January, A.D. 1929.

#### BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF WINDSOR  
(hereinafter called "The Municipal Corporation"),

of the first part;

—and—

THE DETROIT RIVER TUNNEL COMPANY AND THE  
MICHIGAN CENTRAL RAILROAD COMPANY  
(hereinafter called "The Railway Companies"),

of the second part.

Whereas certain differences have arisen between the Corporation of the City of Windsor and The Railway Companies in reference to the assessment and taxation by the Corporation of the City of Windsor of the Detroit River Tunnel within the Municipality of Windsor;

And whereas such differences have arisen both with regard to the legal right of the said Municipal Corporation to tax the said tunnel, and also as to the amount of the assessment on which the taxes are to be levied;

And whereas for the purpose of settling such differences it has been agreed between the said Municipal Corporation and the Railway Companies that the assessment upon which the annual taxes shall be levied for the year 1929 and the following fourteen (14) years shall be fixed at One Million Three Hundred and Fifty Thousand Dollars (\$1,350,000.00) for all the property belonging to The Detroit River Tunnel Company, and at the expiration of that time, in default of a fresh Agreement in reference thereto, the said Railway Companies and the said Municipal Corporation shall have the same legal status as they now have without their legal rights being in any way affected by this Agreement;

Now, therefore, in consideration of the premises and the matters hereinafter contained, the parties hereto mutually agree as follows:

1. That the annual assessment of the Detroit River Tunnel shall be fixed at the sum of One Million Three Hundred and Fifty Thousand Dollars (\$1,350,000.00) and that taxes for each and every of the years 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942 and 1943 shall be levied on said assessment of \$1,350,000.00.

2. And the Detroit River Tunnel Company, its lessees, successors or assigns, shall annually pay to the Municipal Corporation, taxes upon such fixed assessment at the annual rate as duly levied, fixed or struck from year to year.

3. That all parties hereto agree to join in an application to the Legislature of the Province of Ontario at its next session, for the passing of an Act, confirming and validating this Agreement, so as to make it effective for the purposes for which it is intended.

4. That if any changes be made in the laws of the Province of Ontario during the said period of fifteen (15) years whereby The Detroit River Tunnel Company, its lessees and assigns, shall be obligated to pay in any year an amount for taxes in excess of the yearly amounts as ascertained by the fixed assessment upon the tunnel, which is in lieu of all taxes, rates and assessments which can or may be charged upon the tunnel or upon The Detroit River Tunnel Company, its lessees and assigns, by any lawful authority, whether Provincial, Municipal or otherwise, during the said fifteen (15) years, then the Tunnel Company shall have the right to terminate this Agreement at any time, and after Notice of Termination shall have been given to the Municipal Corporation, this Agreement shall be of no effect and shall henceforth cease to be binding upon the several parties hereto.

5. That the word "tunnel" as herein used, and for the purpose of this Agreement, shall include all approaches of lands, undertakings and works of whatsoever description, in respect of which The Detroit River Tunnel Company is or may be liable for assessment by the said Municipal Corporation.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, duly attested under the hands of their respective proper officers.

SIGNED, SEALED AND DELIVERED,  
in the presence of:

(SEAL)

THE MUNICIPAL CORPORATION OF  
THE CITY OF WINDSOR,

(Sgd.) C. E. JACKSON, *Mayor*.

(Sgd.) M. A. DICKINSON, *Clerk*.

THE DETROIT RIVER TUNNEL COM-  
PANY AND THE MICHIGAN CEN-  
TRAL RAILROAD COMPANY,

(Sgd.) HENRY SHEARER,  
*Assistant Vice-President  
and General Manager.*

## CHAPTER 127

An Act to authorize the City of Windsor to appoint  
a City Manager.*Assented to 28th March, 1929.***Preamble.**

**W**HEREAS the corporation of the city of Windsor has by its petition represented that on the 15th day of October, 1928, a certain by-law numbered 3891 was passed by the council of the said city for submitting to the electors the question whether they were or were not in favour of applying to the Legislature for authority to adopt in the said city a system or plan enabling the council to employ a general administrative head to be known as the "City Manager"; and whereas the said question was duly submitted to the electors accordingly on the 3rd day of December, 1928, who by a majority of votes declared themselves in favour of the said change; and whereas the council of the said city of Windsor is desirous of carrying into effect the wishes of the electors and has petitioned the Legislature for the passing of an Act accordingly; and whereas it is expedient to grant the prayer of the said petition;

Therefore; His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power  
to appoint  
city manager  
and powers.

**1.**—(1) Any council of the said corporation in office from and after the 31st day of December, 1929, is hereby authorized and empowered by a by-law to appoint and employ a general administrative head to be known as the "City Manager" who shall have such general control and management of the administration of the city's government and affairs and perform such duties as the council shall by by-law in that behalf define, limit and determine and he shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same and he shall hold office at the will and pleasure of the council and receive such salary as the council by by-law shall determine.

Manager as  
Commissioner on  
Essex  
Border  
Utilities  
Commission.

(2) Nothing in this section shall apply to "The Essex Border Utilities Commission," but this limitation shall not

prevent

prevent the said City Manager from being one of the commissioners thereon, representing the city of Windsor.

2. Except as by this Act varied, altered or changed, <sup>Application of Rev. Stat. c. 233.</sup> *The Municipal Act* and all other Statutes now applicable to the said corporation, its council or officers, shall remain in full force and effect.

3. This Act may be cited as *The City of Windsor City Manager Act, 1929.* <sup>Short title.</sup>

4. This Act shall come into force on the day upon which <sup>Commence-ment of Act.</sup> it receives the Royal Assent.



## CHAPTER 128

## An Act respecting the Township of York

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Township of York Act, 1929.*

Establishment of public utilities commission for supply of water and electrical power.  
Rev. Stat., c. 249.

**2.**—(1) The council of the corporation of the township of York may pass a by-law to provide for the establishment of a commission under the provisions of Part III of *The Public Utilities Act* and for entrusting to the said commission the construction, control and management of all works undertaken or required for the distribution and supply of water and electrical power and energy; provided, however, that such by-law may if council deems it advisable provide,—

## Membership.

(a) That such public utilities commission shall consist of four elected members in addition to the reeve who shall *ex-officio* be a member.

## Election of members.

(b) That one of the elected members shall be elected from each of the three wards in the township and that the remaining elected member (who shall be the chairman of the commission) shall be elected by a general vote of the electors of the township at large.

## First election.

(c) That the first elected members of the said public utilities commission may be elected either at a special election to be held on a day to be fixed by council prior to the first day of October in the year in which the by-law is passed, or at the same time as the annual election of members of the council to be held next after the passing of the by-law, as the council may determine.

(d)

- (d) That the first elected members of the commission shall hold office until the second annual election of the members of the council held after the passing of the by-law when a new election shall be held, and thereafter the elected members of the commission shall be elected every two years at the same time and place and (subject to the provisions of this section) in the same manner as the members of the council are elected.

Term of  
office of first  
members.

- (2) It shall not be necessary to submit any by-law for the purposes authorized by this section for the assent of the electors of the municipality.

Assent of  
electors not  
required.

3. The housing commission of the municipality of the township of York may with the consent of the council of the corporation of the township of York from time to time sell or otherwise dispose of houses erected by or vested in or controlled by the said commission to such purchasers, at such prices, at such times and upon such terms as it may deem expedient.

Power of  
Housing  
Commission  
to sell  
houses.

- 4.—(1) The agreement made between the corporation of the township of York and the corporation of the township of Etobicoke dated the 16th day of July, 1928, set forth in schedule "A" to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto and the said parties are hereby empowered to carry out their respective obligations and exercise their respective rights thereunder.

Agreement  
with Town-  
ship of  
Etobicoke  
confirmed  
(acquiring  
of land for  
right-of-way  
for Humber  
Bridge).

- (2) The council of the corporation of the township of York and the council of the corporation of the township of Etobicoke are each hereby authorized to expend monies for the purposes mentioned in the said agreement and expenditures heretofore made for the said purposes are hereby ratified and confirmed.

Expendi-  
tures con-  
firmed.

- (3) The council of the corporation of the township of York and the council of the corporation of the township of Etobicoke may each from time to time without submitting the same to the electors qualified to vote on money by-laws pass a by-law or by-laws to authorize the issue of debentures for such sums as may be required for the purposes aforesaid. Such debentures may be issued on any plan authorized by *The Municipal Act* and payable within a term not exceeding thirty years from the date of the issue thereof.

Assent of  
electors not  
required to  
issue of  
debentures.

Tax sales  
and deeds  
confirmed.

**5.**—(1) All sales of land within the township of York made prior to the 31st day of December, 1927, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said township of York purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

Pending  
litigation not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Rates levied  
under 1922,  
c. 139, s. 3,  
deemed  
local im-  
provement  
rates,

Rev.  
Stat., c. 233.

**6.** All rates heretofore or hereafter levied pursuant to the provisions of section 3 of *An Act respecting the Township of York* passed in 1922 and chaptered 139 as amended shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate heretofore or hereafter levied pursuant to the said section 3 as amended shall be deemed to be included in the rate of two and one-half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts; and any debt may be contracted pursuant to the provisions of the said section 3 notwithstanding the limitations prescribed by the said section 306.

Construction  
of subway  
under  
C.N.R. and  
C.P.R. as  
local im-  
provement.

Rev. Stat.,  
c. 235.

**7.**—(1) The council of the corporation of the township of York may pass by-laws providing for the construction of a subway under the tracks of the Canadian National Railway Company and the Canadian Pacific Railway Company at Ray Avenue as authorized by an order of the Board of Railway Commissioners for Canada, dated the 11th day of September, 1928, under the provisions of *The Local Improvement Act* and may without obtaining the assent of the electors pass by-laws for borrowing money on the credit of the corporation at large to pay the cost of the said work by the issue of debentures.

(2) The council may in the by-law for undertaking the said work passed by a vote of three-fourths of all the members, provide for the payment by the corporation of such part of the cost as to the council may seem just, and that so much of

the cost thereof as may seem just may be specially assessed upon the land abutting directly upon the work and so much of such cost as may seem just upon such other land as is immediately benefited by the work. Provided, however, that the lands not abutting on the work but immediately benefited thereby may be divided into two or more districts or sections which shall be defined in such by-law and that the portion of cost to be borne by any one or more of such districts or sections may, if so provided in said by-law, be assessed and levied by a special rate in the dollar on all the rateable real property in such district or section instead of by a special rate per foot frontage.

(3) Notwithstanding anything herein contained no <sup>Railway</sup> part of the lands of the said railway companies, or either of <sup>lands</sup> them, now occupied or used for right-of-way purposes shall <sup>exempt.</sup> be assessed in respect of the said work.

8. The council of the township of York may pass by-laws <sup>Union</sup> for uniting for the purpose of any municipal election, including <sup>of polling</sup> the election of school trustees and public utilities commis- <sup>subdivisions.</sup> sioners or the voting on a by-law or on a question submitted to the electors any two adjoining polling subdivisions with one polling place therefor.

9. By-law number 9456 of the municipal corporation of <sup>By-law</sup> the township of York passed on the 30th day of January, <sup>No. 9456,</sup> 1928, to provide for the borrowing of \$7,340.46 by the issue <sup>confirmed.</sup> of debentures to pay for the area's portion of the cost of the construction of service lateral sewers in the township of York and Forest Hill village and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

10. By-law number 9458 of the municipal corporation of <sup>By-law</sup> the township of York passed on the 30th day of January, <sup>No. 9458,</sup> 1928, to provide for the borrowing of \$2,495 by the issue <sup>confirmed.</sup> of debentures to pay for the area's portion of the cost of the construction of service lateral sewers in sewerage area number 2 of the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

11. By-law number 9933 of the municipal corporation of <sup>By-law</sup> the township of York passed on the 22nd day of November, <sup>No. 9933,</sup> 1928, to provide for the borrowing of \$20,477.32 by the issue <sup>confirmed.</sup>

of debentures to pay for the area's portion of the cost of the construction of separate sanitary sewers and storm drains in sewerage area number 1 of the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 9935,  
confirmed.

**12.** By-law number 9935 of the municipal corporation of the township of York passed on the 22nd day of November, 1928, to provide for the borrowing of \$6,434.24 by the issue of debentures to pay for the owner's portion of the cost of the construction of sanitary sewers and storm drains in sewerage area number 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 9936,  
confirmed.

**13.** By-law number 9936 of the municipal corporation of the township of York passed on the 22nd day of November, 1928, to provide for the borrowing of \$6,687.41 by the issue of debentures to pay for the cost of construction of private drain connections to certain separate storm sewers in sewerage area number 1 of the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 9987,  
confirmed.

**14.** By-law number 9987 of the municipal corporation of the township of York passed on the 21st day of January, 1929, to provide for the borrowing of \$5,269.02 by the issue of debentures to pay for the cost of construction of private drain connections to certain separate storm sewers in sewerage area number 1 of the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

1926, c. 108,  
s. 5, subs. 2,  
amended.

**15.** Subsection 2 of section 5 of *The Township of York Act, 1926*, is amended by striking out the figures "1931" and substituting therefor the figures "1936."

Commence-  
ment of  
Act.

**16.** The provisions of this Act other than section 5 shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on July 1st, 1929.

## SCHEDULE "A"

This indenture made in duplicate the 16th day of July, 1928.

## BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF YORK,  
hereinafter called "The Township of York,"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF ETOBICOKE,  
hereinafter called "The Township of Etobicoke,"

of the second part.

Whereas the Toronto and York Roads Commission has arranged to construct a high level bridge over the Humber River at Dundas Street, Lambton;

And whereas the Township of York and the Township of Etobicoke have agreed each with the other that they will assume in equal proportions the cost of the purchase of that part of the lands required for the right-of-way hereinafter described in connection with the said bridge and also certain land damages hereinafter referred to that may be suffered or sustained by reason of the construction of the said bridge;

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and obligations herein contained it is hereby agreed by and between the parties hereto as follows:

1. The Township of York will negotiate for, purchase or otherwise acquire whether by expropriation or otherwise the land required for that part of the right-of-way in connection with the said bridge as shown on plans already prepared which said part of right-of-way may be described as that part which commences at a point at or near Dundas Street opposite the car barns from a point at the easterly limit of what is known as Elliott property and running westerly to and including the Brodie property on the banks of the Humber River.

2. The Township of York will further settle for any land damages suffered or sustained in connection with that part of the right-of-way hereinbefore described by negotiation or arbitration or otherwise and will pay the amount of such land damages.

3. The Township of Etobicoke will assume and pay to the Township of York one-half the cost of any such land so purchased or otherwise acquired and also one-half of the amount of land damages so sustained, including therein all the purchase, price, costs, charges, expenses, valuation fees, solicitors' fees and arbitration costs and expenses which may be sustained or incurred by reason of or in connection with the acquisition of the said lands and settlement of the said land damages.

4. In the event that the Township of York finds it necessary or advisable to acquire more land than is actually required for the said right-of-way, then the Township of York shall dispose of such surplus land for the best price available as soon as reasonably may be possible after the completion of the said bridge, and shall divide the proceeds arising from the sale, after deducting therefrom all cost of sale, taxes and other carrying charges and expenses, into two equal parts and shall pay over to the Township of Etobicoke one of such parts.

5. This agreement shall enure to the benefit of and be binding upon the parties hereto, their successors, and assigns.

SIGNED, SEALED AND DELIVERED,

in the presence of:

ERNEST G. WESTBURY, *Reeve.*

W. A. CLARKE, *Clerk.*

J. RAY PRICE, *Reeve.*

S. BARRATT, *Clerk.*

CHAPTER



## CHAPTER 129

An Act to provide for the Administration of the  
Roman Catholic Separate Schools in Ward 6  
of the Town of Eastview.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS Roman Catholic Separate School supporters of Ward 6 of the town of Eastview have by their petition represented that the Roman Catholic Separate Schools of the said Ward 6 have been administered since 1909 by the Board of Trustees of the Roman Catholic Separate Schools for the city of Ottawa, the taxes for the support of the said schools being levied and collected by the municipal council of the corporation of the town of Eastview and by the said council paid over to the Ottawa Separate School Board; that the said Ward 6 has little connection with the other five wards of the town of Eastview, geographically, in church matters or in social and business life; and whereas the said Ottawa Separate School Board is willing to continue such administration upon the terms and conditions hereinafter mentioned; and whereas the said petitioners by their petition have prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Administra-  
tion of  
Separate  
Schools in  
Ward 6,  
Eastview.

Rev. Stat.,  
c. 328.

1. As from the 1st day of January, 1929, the Board of Trustees of the Roman Catholic Separate Schools for the town of Eastview (hereinafter called the Eastview Board) shall cease to have and exercise any of the powers conferred on it by *The Separate Schools Act* or any other Act with respect to the levy, collection and administration of the school rates and taxes payable by the Roman Catholic Separate School ratepayers of Ward 6 of the town of Eastview in the county of Carleton and the management of the Roman Catholic Separate School property, moneys, teachers, caretakers and other matters and things connected with the Roman Catholic Separate Schools of the said Ward 6; and all such powers theretofore vested in the said Board and all Roman Catholic

Separate

Separate School property situate in the said ward and all right to levy rates upon the Roman Catholic Separate School ratepayers of the said ward shall become vested in the Board of Trustees of the Roman Catholic Separate Schools of Ottawa (hereinafter called the Ottawa Board) as Trustees for the Roman Catholic Separate School ratepayers of the said ward, and the Roman Catholic Separate School ratepayers of the said ward shall not be liable for the payment of any rates and taxes whatsoever levied for the purposes of the Roman Catholic Separate Schools of the remaining wards of the town of Eastview.

**2.** The Ottawa Board may annually fix and determine the amount of the school rates and taxes to be levied and imposed upon and collected from the Roman Catholic Separate School ratepayers of the said ward; and the amount of such rates and taxes not exceeding what is required for Separate School purposes in the said ward shall be such as determined by the said board irrespective of the amount levied, imposed and collected upon and from the Roman Catholic Separate School supporters, of the city of Ottawa; and the said board shall annually and in writing notify the municipal council of the corporation of the town of Eastview.

Levy of rates.

**3.** The municipal council of the corporation of the town of Eastview shall, through its collectors and other municipal officers, cause to be levied and collected in every year upon all the Roman Catholic Separate School ratepayers of the said Ward 6 all school rates and taxes imposed by the said board of Ottawa and shall pay over to the said board such rates and taxes without any deduction whatsoever at the same time and in the same manner as the rates and taxes levied and collected in the other wards of the said town are paid over to the Eastview Board.

Collection of rates.

**4.** The borrowing powers of the Ottawa Board shall be extended to include the power to borrow money to provide for the needs and purposes of the Roman Catholic Separate Schools in the said ward; but all such loans and the mortgages, debentures, promissory notes, or other instruments securing the same shall be a charge on the Roman Catholic Separate School property, rates and ratepayers of the said ward exclusively as provided by section 75 of *The Separate Schools Act*, and shall not be a charge on or against the Roman Catholic Separate School Board, property, rates and ratepayers of the city of Ottawa, and all rates and taxes to be levied and collected for the repayment of such loans and securities shall be levied and collected from the Roman Catholic Separate School property and ratepayers of the said ward exclusively.

Borrowing powers.

Rev. Stat., c. 328.



Limitation  
of liability  
of board.

**5.** Nothing in this Act shall be construed as imposing any liability or obligation on the Ottawa Board to furnish accommodation, equipment, teachers and other things necessary to give instruction to the children of school age of the Roman Catholic Separate School ratepayers of the said ward either in the schools and classes of the said board in the city of Ottawa or at a cost in excess of the amount of the rates and taxes levied by the municipal council of the town of Eastview on the Roman Catholic Separate School ratepayers of the said ward and paid over by the said council to the Ottawa Board.

Non liability  
of Ottawa  
Board.

**6.** The Ottawa Board shall not in any way be responsible for any debt, obligation or liability already or which may hereafter be incurred by the Eastview Board.

Term of  
Act.

**7.** This Act shall remain in force until the 31st day of December, 1938; except that any money by-law passed under the authority of this Act prior to that date shall remain in full force and effect.

Commence-  
ment of Act.

**8.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 130

## An Act respecting The Brockville Loan and Savings Company.

*Assented to 28th March, 1929.*

**W**HEREAS The Brockville Loan and Savings Company Preamble. has by its petition represented that it was incorporated as a loan corporation under the provisions of chapter 164 of the Revised Statutes of Ontario, 1877, in the month of May, 1885; and that the said company is a registered loan corporation within the meaning of *The Loan and Trust Corporations Act*; and that its present paid-up capital is three hundred and fifty thousand dollars (\$350,000), with a reserve fund of two hundred and five thousand dollars (\$205,000); and that the balance of its authorized capital of five hundred thousand dollars (\$500,000) has been issued at a premium of ten per centum of the par value thereof upon terms to ensure the full payment therefor on or before the first day of April next; and that it is desirous of obtaining power to carry on the business of a trust company under *The Loan and Trust Corporations Act*, and of surrendering its powers to carry on business as a loan corporation under the said Act, and of changing its name to "The Brockville Trust and Savings Company"; and further, that it is desirous of increasing its present total authorized capital from five hundred thousand dollars (\$500,000) to one million dollars (\$1,000,000); and whereas the company has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The name of The Brockville Loan and Savings Company is hereby changed to "The Brockville Trust and Savings Company." Change of name.

2. The company upon registration as hereinafter provided, shall be and it is hereby authorized and empowered to carry on business as a trust company under *The Loan and Trust Corporations Act*, and to exercise all of the powers set out in clauses (a) to (k) inclusive of subsection 1 of section 18 of Power to carry on business as trust company. Rev. Stat., c. 223.

*The Loan and Trust Corporations Act*, and all the other powers, rights and privileges which a trust company may exercise under *The Loan and Trust Corporations Act*.

Powers  
as loan  
company to  
cease with  
exceptions.

Rev. Stat.,  
c. 223.

3. Save as hereinafter provided, the company shall not after registration as a trust company exercise the powers of a loan corporation under the said *The Loan and Trust Corporations Act*, in so far as such powers exceed or differ from those conferred upon a trust company by the said Act.

Securities as  
guarantee of  
debentures.

Rev. Stat.,  
c. 150.

4. The company shall definitely set aside and ear-mark in respect of its debentures, outstanding from time to time, securities, including loans upon securities, authorized as trustee investments under *The Trustee Act*, equal to the full aggregate amount thereof. The company shall not issue any further debentures or renew any of its outstanding debentures.

Approval  
as trust  
company  
for court  
purposes.

5. Notwithstanding that the company has issued and outstanding debentures the Lieutenant-Governor in Council may approve the company being accepted as a trust company for the purposes of the Supreme Court of Ontario as provided in section 20 of *The Loan and Trust Corporations Act*.

Restrictions  
on taking  
deposits.

6. After registration as a trust company, the company shall not have power to take deposits by way of borrowing moneys, and all deposits then held by the company shall be held by it as trustees for the several depositors and repayment thereof shall by virtue of this Act be guaranteed by the company, and there shall be ear-marked and definitely set aside in respect of such deposits, securities, including loans upon securities or cash, including money on deposit with any chartered bank and securities, including loans upon securities equal to the aggregate amount thereof.

Registration  
as trust  
company.

Rev. Stat.,  
c. 223.

7.—(1) Upon the company complying with the provisions of this Act, the Registrar of Loan Corporations shall cause the company to be registered in the trust companies register and thereupon the company shall, except as hereinafter otherwise provided comply with and be subject to the provisions of the said *The Loan and Trust Corporations Act* applicable to trust companies incorporated pursuant to the said Act.

Cancellation  
of registra-  
tion as loan  
company.

(2) Upon registration of the company as a trust company, the Registrar shall cancel the registration of the company as a loan corporation.

Increase  
of capital  
stock.

8. The authorized capital of the company is hereby increased from five hundred thousand dollars (\$500,000) to

one million dollars (\$1,000,000), consisting of twenty thousand (20,000) shares, of the par value of fifty dollars each.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 131

## An Act respecting the Grand Lodge of Ontario of the Independent Order of Odd Fellows.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS a society known as the Right Worthy Grand Lodge of Ontario (formerly Canada West) of the Independent Order of Odd Fellows was established and in existence in the Province of Ontario from the year 1855 onward; and whereas William Fitzsimmons and six others, officers of the said society on the 7th day of January, 1875, made a declaration of incorporation in conformity with the fifth section of an Act passed in the thirty-seventh year of the reign of Her late Majesty Queen Victoria by the Legislature of the Province of Ontario entitled *An Act respecting Benevolent, Provident and Other Societies*, where the purpose and object of the said society is set forth to be as follows: "For the mutual relief and protection of its members by making provision, by means of dues, contributions, subscriptions and donations against sickness, misfortune and death, and for relieving the widows and orphan children of members deceased; to govern by sound laws and regulations the branches of the said society which are subordinate to it with a view of insuring co-operation and uniformity of action and of securing more effectually the permanence of the blessings to be derived from the right exercise of those ennobling and heaven-born principles of friendship, love and truth, on which the society is founded," as would appear by the order of His Honour George Duggan, Judge of the county court of the county of York; and whereas by an order of His Honour Joseph Easton McDougall, Judge of the county court of the county of York, made on the 26th day of October, 1887, the name of the said society was changed to the name and style of "The Grand Lodge of Ontario of the Independent Order of Odd Fellows," hereinafter called "The Grand Lodge"; and whereas the Grand Lodge has continued to function down to the present time; and whereas John E. Farewell, Esquire, of the town of Whitby, then Grand Master of the Grand Lodge, and ten other members of the Independent Order of Odd Fellows on the 15th day of May, 1899, made a declaration in accordance with the provisions of chapter 211

of the Revised Statutes of Ontario, 1897, intituled *An Act respecting Benevolent, Provident and Other Societies* wherein "The Ontario Odd Fellows' Home Association," hereinafter called "The Association," became incorporated for the following purposes:

"To provide, establish and maintain a home for the care and maintenance of aged Odd Fellows and the widows of Odd Fellows and for the care, maintenance and education of orphans of Odd Fellows in the Province of Ontario subject to such by-laws, provisions and restrictions as may from time to time be enacted or adopted by the trustees of the said Association," which said declaration of incorporation was approved by an order of His Honour Joseph Easton McDougall, Judge of the county court of the county of York, on the 22nd day of June, A.D. 1899; and whereas the home association has continued to function down to the present time, being supplied with the necessary financial support by the Grand Lodge through assessments levied from time to time on the subordinate lodges working under the said Grand Lodge and is now the registered owner of a property in the city of Toronto bounded on the south by Davenport Road, on the west by Ossington Avenue and on the north by Tyrell Avenue, hereinafter called the home property; and whereas the association is at present governed by a board of trustees elected or appointed in the manner prescribed by Grand Lodge; and whereas by the by-laws of the association, all property, real and personal, possessed by the association is the property of and held in trust for the Grand Lodge; and whereas the Grand Lodge has by its petition prayed that an Act be passed,—

- (a) amalgamating the association with Grand Lodge, definitely vesting the assets of the association in Grand Lodge and authorizing Grand Lodge to carry on the work heretofore undertaken by the association, and to provide from time to time for the proper government, control and maintenance of such home or homes as are now or may hereafter be established by or under authority of Grand Lodge.
- (b) to more definitely set forth and define the powers and objects of Grand Lodge so as to enable Grand Lodge to realize more fully and effectively the purposes and objects for which it was incorporated and for which it has stood throughout the years.
- (c) to authorize the establishment by the said Grand Lodge of an endowment fund; and whereas the home association has by its petition signified its

concurrence with the said petition of Grand Lodge; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Grand Lodge of Ontario of the Independent Order of Odd Fellows Act, 1929.*

Grand Lodge to be mutual benefit society.

**2.** The Grand Lodge shall be a mutual benefit society as hereinafter constituted with perpetual succession and a common seal, and shall be called "The Grand Lodge of Ontario of the Independent Order of Odd Fellows," hereinafter called the Grand Lodge.

Association merged with and property vested in Grand Lodge.

**3.** The association shall be merged with the Grand Lodge and all property, real and personal, belonging to or held in trust by the association, including the home property, shall upon the coming into force of this Act be vested in the Grand Lodge to be held, used and administered by Grand Lodge, subject to the provisions of this Act, in accordance with such by-laws, rules and regulations as are now provided by Grand Lodge for the government of the Ontario Odd Fellows' home, or may hereafter be provided by Grand Lodge for the government of such home or homes as the Grand Lodge may in future desire to conduct. Any existing trust created or declared in any manner whatsoever, for or in favour of the association prior to the coming into force of this Act shall continue to exist and be performed as a trust for or in favour of the Grand Lodge and any bequests or legacies that shall hereafter be made to the association, shall belong to and enure to the benefit of Grand Lodge.

Vesting subject to liabilities.

**4.** All property vested by this Act in the Grand Lodge shall remain liable for the payment or satisfaction of any debt or obligation heretofore contracted or incurred in respect thereto to the same extent as it would have been liable therefor had this Act not been passed.

Constitution and by-laws.

**5.** The constitution and by-laws of the Grand Lodge as they exist at the time of passing of this Act are hereby declared to be the constitution and by-laws of the said Grand Lodge, but they or any of them may be added to, amended or repealed and others substituted therefor as provided in the said constitution and by-laws and in accordance with the terms of this Act.

Officers.

**6.** The officers of Grand Lodge at the time of the passing of this Act shall be the officers of the said Grand Lodge and

shall

shall retain their respective offices until others shall be elected or appointed in their places under the provisions of the constitution and by-laws.

7. The objects of the said Grand Lodge shall be as follows: Objects.

- (a) The exercise of jurisdiction in Odd Fellowship within the Province of Ontario to the end that it may be the superior tribunal of all subordinate and Rebekah lodges in the said province and of the Rebekah assembly of the Province of Ontario, and having within its jurisdiction the sole right and power of granting, suspending or annulling charters for proper cause, of enacting a form of constitution and rules of order for the government of its subordinate lodges, of receiving, hearing and determining appeals from the decisions of said subordinate lodges and the officers thereof, of framing by-laws and rules for its own government, of regulating the means of its own support, of performing all such other acts and things as shall have for their object the promotion of the true and best interest of the order or shall appertain to it by ancient usage or custom and are not in violation of the laws of the land or the regulations of the order. Jurisdiction as superior tribunal.
- (b) The undertaking of any class of insurance for which a mutual benefit society may be licensed under the provisions of *The Insurance Act*. Insurance powers, Rev. Stat., c. 222.
- (c) Through voluntary subscriptions, donations and the proceeds from entertainments and bazaars and otherwise, as may be deemed expedient, and not interfering with funds for the relief of distress within the order, to create and augment funds for the relief of distress wherever found and in aid of worthy charities and for other purposes calculated to emphasize the broad spirit and general principles of Odd Fellowship. Establishment of funds for relief of distress.
- (d) To provide, establish and maintain a home or homes for the care, training and education of orphans or other children of members of the order and also for the purpose of caring for aged and indigent members of the order in Ontario, their wives, and the destitute widows of deceased members of the order. Establishment of home for orphans and aged members.
- (e) To act as guardian of all minor children of which it has the care or charge as provided in the next preceding paragraph and be a party to any agreement Guardian of minors.



of adoption or apprentice of any minor of which it has care or may hereafter have the care or charge and to receive all wages or benefits thereby or otherwise provided for.

Property of  
Grand  
Lodge  
exempt from  
taxation.

**8.** The buildings, lands, equipment and undertakings of the said Grand Lodge so long as and to the extent to which they are occupied by, used and carried on for the purpose of a home or homes for the care, training and education of children or the caring for the aged and indigent as provided for under section 7, clause *d* of this Act are declared to be exempt from taxation except for local improvements.

Establish-  
ment of  
endowment  
funds.

**9.** The Grand Lodge shall have power to establish an endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by Grand Lodge.

Rev. Stat.,  
cc. 222, 218.

**10.** Notwithstanding anything in this Act contained, the provisions of *The Insurance Act*, *The Companies Act* and any amendments thereto applicable to mutual benefit societies, shall apply to the Grand Lodge.

Commence-  
ment of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 132

## An Act respecting the Oddfellows' Relief Association.

*Assented to 28th March, 1929.*

**W**HEREAS the Oddfellows' Relief Association of Canada, hereinafter called "the association," has by its petition represented that it was incorporated on the 16th day of April, 1875, under the provisions of an Act of the Legislature of the Province of Ontario respecting benevolent, provident, and other societies, being chapter thirty-four of the Statutes of the Province of Ontario, 1874, and that the said association has since the date of its incorporation carried on, and is now carrying on the purposes for which it was incorporated under the powers conferred upon it by law and the said Act, and is presently licensed as a fraternal society under the provisions of *The Insurance Act*, and has prayed that it may be re-  
Rev. Stat., c. 222.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The members of the association together with such other persons as may hereafter become members in the company hereby incorporated, shall be and are hereby incorporated as a mutual corporation under the name of "Mutual Relief Life Insurance Company," hereinafter called the company, for the sole and only purpose of undertaking any class of insurance for which a mutual corporation transacting life insurance may be licensed under the provisions of *The Insurance Act*.  
Incorporation of Mutual Relief Life Insurance Company.  
 Rev. Stat., c. 222.

2. Nothing in this Act contained shall be considered in any manner to affect any contract, matter or thing concerning the said association otherwise than is herein expressed or to affect any action commenced on behalf of or against the said association at the time of the passing of this Act; but every such action, suit, or proceeding may at the option of the claim-

ant be carried on against the company which is, in such case for all the purposes thereof substituted for the association; and all the policy holders in the said association shall be policy holders in the company and that all the assets, property, real and personal, debts, rights, claims, business and undertaking of the association heretofore belonging to or vested in the association and all their interest in the same shall be held by and are hereby vested in the company in the same manner and with all such benefits and liabilities attaching to the same, as existed at the time of the passing of this Act; and all the policies and other contracts of assurance and other engagements made or entered into by or on behalf of the said association shall continue to be valid and binding under this Act against the company; and any person having any claim or demand against the said association shall have the same claim or demand against the company.

Policy holders members of company.

**3.** The company shall be composed of its policy holders who shall own and control all its property and affairs as hereinafter provided, and each policy holder, during the continuance of his policy, shall be and is hereby constituted a member of said company and, while such a member, and not in default in respect of any premium, shall be entitled to give one vote at all annual or general meetings in person or by proxy.

Proxies.

**4.** Every proxy representing a policy holder must be himself a policy holder and entitled to vote, and an instrument of proxy shall not be valid unless executed within three months of the date of the meeting at which it is to be used, and unless filed with the secretary of the company at least ten days before such meeting, and shall be used only at such meeting or any adjournment thereof, and may be revoked at any time prior to such meeting.

Board of management.

**5.—(1)** The property, business and affairs of the company shall be managed by a board of nine, fifteen, eighteen or twenty-one directors.

First board of directors.

**(2)** The present board of directors of the association shall constitute the first board of directors of the company and the members of the board shall continue to hold office for the respective terms for which they were elected directors and until their successors are elected.

Number of directors.

**(3)** The number of directors shall be determined from time to time by by-law passed and approved of by the votes of three-fifths of the members present or represented by proxy, at a special general meeting of the members duly called for, considering the by-law, or at any annual general meeting,

and

and the company may, by the said by-law, provide that the directors or any of them, shall be elected for one, two or three years, and that one-third shall retire annually.

(4) At each annual general meeting there shall be elected a board as determined by by-law aforesaid, but in no case shall such board consist of more than twenty-one or less than nine directors, all of whom shall be eligible for re-election.

Election of directors.

6. The directors, may at any time, of their own motion, call a special general meeting of the company for the transaction of business and the notice calling such meeting shall specify the business which is to be transacted thereat.

Calling of special general meeting.

7. Notice of the annual general meeting or any special general meeting of the members of the company shall be given by notice published in at least one newspaper in the municipality in which the head office of the company is situate, and in one or more newspapers published in the city of Toronto, and in such other places as the directors think necessary at least one month before the holding of such meeting.

Notice of meetings.

8. The company's annual general meeting shall be held on the first Wednesday in February in each year, or on such other date as may from time to time be fixed by by-law passed and approved of by the votes of three-fifths of the members present or represented by proxy at the annual general meeting of the company or at a special general meeting duly called for considering the by-law.

Time of general annual meeting.

9. No person shall be eligible to be elected or to continue a director of the company unless he is a member thereof assured for a sum not less than One thousand dollars, and no agent of the company, while he is such agent, shall be elected a director of the company.

Qualification of director.

10. The office of any director shall become vacant by death, resignation, lapse of his policy, or absence from three successive meetings of the board without leave of absence having been granted, and such vacancy may be filled for the remainder of the term for which he had been elected, by the directors from among the duly qualified policy holders.

Vacancy in office of director.

11. At the annual general meeting of the company all business except increasing the number of directors, shall be transacted without the necessity for specifying such business in the notice of such meeting; and at such annual general meeting a general balance sheet and statement of the affairs of the company and the report of the auditors shall be laid before the members.

Transaction of business at annual general meeting.

Power  
of directors  
to pass  
by-laws.

**12.** The board of directors shall have full power and authority from time to time to make and alter such by-laws as appear to them proper and needful touching the well ordering of the company, and the management and disposition of its property and effects, the calling of special general meetings, the regulation of the meetings of the board of directors, the appointment from time to time of an executive committee or committees of the said board (which if they deem it advisable, may include the manager), with such powers, and to discharge such duties as the board may, from time to time confer and impose upon them; the election of a president, vice-president and second vice-president, the appointment and removal of a general manager, a secretary, a treasurer, an actuary, an auditor, and such other officers as the board deems necessary; the appointment and removal of agents of the company, the regulation of their powers and duties, the remuneration to be paid to them, the security to be given, by them respectively for the due performance of their duties the establishment and regulation of agencies, the adjusting and paying of all claims against the company, the determining of rates, rules and conditions under which the company's policies shall be issued transferred, or purchased, and generally to do all other necessary matters and things they may deem expedient in conducting and managing the interests, business and affairs of the company.

Quorum  
of directors.

**13.—**(1) At all meetings of the directors four shall be a quorum for the transaction of business, and all questions of business shall be decided by a majority of votes; and in case of an equality of votes the president, vice-president, or presiding director shall give the casting vote in addition to his vote as director.

Presiding  
officer.

(2) At all such meetings the president, or in his absence the vice-president, or in the absence of both, a director chosen by a majority of the directors present, shall preside.

Officer of  
company not  
to be proxy.

**14.** No officer or agent of the company shall hold or use any proxy or proxies at meetings of the company.

Head office.

**15.** The head office of the company shall be at the city of Kingston in the Province of Ontario.

Investment  
of funds,  
Rev. Stat.,  
c. 218.

**16.** The company may invest its funds in any securities in which, under *The Companies Act*, joint stock insurance companies and cash mutual insurance corporations may invest their funds.

Application  
of Rev. Stat.,  
co. 218, 222.

**17.** The company shall be subject to the provisions of *The Companies Act* and *The Insurance Act*, and the amend-

ments thereto, except in so far as the same are inconsistent with the provisions of this Act.

**18.** In complying with the requirements of *The Insurance Act* in respect of the valuation of its life insurance contracts issued prior to the 1st day of January, 1930, the company may, until the 1st day of January, 1937, with the approval of the Superintendent of Insurance, base the valuation of such life insurance contracts issued by it on a rate of interest not exceeding four per cent. per annum, notwithstanding any provision to the contrary contained in *The Insurance Act*. <sup>Valuation of life insurance contracts. Rev. Stat., c. 222.</sup>

**19.**—(1) A special general meeting of the association shall be called by the directors for the purpose of approving this Act, by a notice to each member mailed, postage prepaid, to his last known post office address at least thirty days previous to the day fixed for such meeting and a proxy (Form "A") shall be sent with the notice. <sup>Approval of Act by Association.</sup>

(2) This section shall come into force on the day upon which this Act receives the Royal Assent. <sup>Commencement of section.</sup>

**20.** This Act (except section 19) shall have no force or effect unless and until the same has been approved by a vote of not less than two-thirds of the members of the association present or represented by proxy at the special general meeting called as provided for by the said section 19 and if so approved shall come into force on the day of such approval and forthwith notice of such approval and of the date thereof shall be given to the Superintendent of Insurance and shall be published forthwith by the company in the *Ontario Gazette*. <sup>Commencement of Act, except s. 19.</sup>

## FORM "A."

### PROXY

#### ODDFELLOWS' RELIEF ASSOCIATION OF CANADA

I, \_\_\_\_\_, a member of the Oddfellows' Relief Association of Canada, hereby appoint Dr. J. C. Connell, President, or J. Powley, Vice-President, or H. G. Robertson, a Director, or any of them, or as my proxy, to vote for me on my behalf at a special general meeting of the Association to be held on the

day of \_\_\_\_\_, 1929, or at any adjournment thereof <sup>\*in favour of</sup> ~~against~~

bringing into force an Act of the Ontario Legislature incorporating the members of the Oddfellows' Relief Association of Canada with such other persons, as may hereafter become members, as a mutual corporation under the name of the Mutual Relief Life Insurance Company, for the sole and only purpose of undertaking any kind of life insurance for which a Mutual Corporation transacting life insurance may be licensed under the provisions of *The Insurance Act*.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1929.

.....  
Signature of Member.

\*If in favour of, strike out the word "against."  
If opposed, strike out the words "in favour of."

## CHAPTER

## CHAPTER 133

## An Act respecting Canadian Military Institute.

*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS Canadian Military Institute has by its petition represented that The Canadian Military Institute, Limited, is incorporated under the laws of the Province of Ontario and is the owner of lands in the city of Toronto known as No. 243 Simcoe Street, No. 245 Simcoe Street and No. 96 University Avenue, hereinafter described; and that an unincorporated club known as the Canadian Military Institute has been maintained and has occupied the said lands; and that Canadian Military Institute has been incorporated without share capital under the laws of the Province of Ontario to replace the said unincorporated club with the same membership; and that The Canadian Military Institute, Limited, engages in no activities whatsoever and discharges no function except the holding as owner of the lands and in recent years has ceased to hold meetings and has failed for the last seven years to file its annual returns; and whereas Canadian Military Institute has by its petition further represented that the said lands are held by The Canadian Military Institute, Limited, merely as trustee for the benefit of the members of Canadian Military Institute and that it is desirable for the reasons above set out that the said lands should be vested in the said Canadian Military Institute; and whereas Canadian Military Institute has by its petition prayed that an Act may be passed vesting in it the title in the said lands; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *Canadian Military Institute Act, 1929*.

Certain  
lands in  
Toronto  
vested in  
Canadian  
Military  
Institute.

**2.** The lands in the city of Toronto in the county of York known as No. 243 Simcoe Street, No. 245 Simcoe Street and No. 96 University Avenue more particularly described as follows:—

- (a) The south thirty feet from front to rear of Lot Number Nineteen on the east side of Simcoe Street in the said city of Toronto as laid down on a plan

filed



filed in the Registry Office for the said city as Plan Number One, Forty-nine and Fifty-five of part of Park Lot Number Twelve, made by James G. Chewett, which said part of Lot Number Nineteen is butted and bounded as follows: Commencing at the southwest angle of Lot Number Nineteen, thence north sixteen degrees west along the easterly limit of Simcoe Street aforesaid thirty feet to the middle of the said Lot; thence north seventy-four degrees east one hundred and twenty-six feet more or less to University Avenue (formerly College Avenue); thence south sixteen degrees east along the westerly limit of University Avenue parallel with Simcoe Street thirty feet to the southeast angle of said Lot Number Nineteen; thence south seventy-four degrees west one hundred and twenty-six feet more or less to the place of beginning.

- (b) Part of Park lot number twelve described as parcel number four according to a plan filed in the Registry Office for the said city as D211 which is a subdivision of lot number eighteen on the east side of Simcoe Street according to plan number one filed in the said Registry Office, which said parcel has a frontage of twenty-one feet six inches on Simcoe Street and twenty-one feet eight inches on University Avenue, with a depth of one hundred and twenty-seven feet four inches and the south limit of which said parcel passes through the centre of the party wall between the house on the lands being now described and the house on the lands to the south thereof,

are hereby vested in Canadian Military Institute for all the estate, right, title and interest of The Canadian Military Institute, Limited therein.

3. A copy of this Act properly certified by the Clerk of the Legislative Assembly of Ontario may be registered in the Registry Office for the City of Toronto as good and sufficient evidence of the title to the property mentioned in section 2 hereof.

Certified  
copy of Act  
for  
registration.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.



## CHAPTER 134

## An Act respecting The Canadian Terminal System Limited and the City of Fort William.

*Assented to 28th March, 1929.*

## Preamble

**W**HEREAS The Canadian Terminal System Limited (hereinafter called the "company") has by its petition represented that a by-law of The Corporation of the City of Fort William (hereinafter called the "municipal corporation") entitled "A by-law to authorize a certain agreement with The Canadian Terminal System Limited," was duly passed by said municipal corporation, after having been submitted to and approved of by the vote of the electors in accordance with the provisions of *The Municipal Act* in that behalf, and that the agreement authorized thereby between the said company and the said municipal corporation was duly entered into; and whereas the company has by its petition prayed that the said by-law and said agreement should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Fort William Gas Franchise Act, 1929.*

Con-  
firmation of  
by-law and  
agreement  
with  
Canadian  
Terminal  
System, Ltd.

**2.**—(1) Subject to the provisions of subsection 2 a by-law of the said municipal corporation, entitled "A by-law to authorize a certain agreement with The Canadian Terminal System Limited" set out as schedule 1 hereto and the agreement therein referred to as schedule "A" and set out in schedule 2 hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof and upon the said company and the said municipal corporation and said company are hereby authorized and empowered to do all acts and things and execute all documents necessary or convenient for the fulfilment and carrying out of said by-law and agreement.

(2) Paragraph 30 of the agreement shall be read and construed as if it contained no reference to the Ontario Railway and Municipal Board. Amendment of par. 30 of agreement.

3. It is hereby declared that the said company had full power, capacity and authority to enter into said agreement and that it now has full power, capacity and authority to assign and transfer the same and all franchises, powers and rights conferred thereby and all benefits and privileges to be derived therefrom. Power to company to enter into and assign agreement.

Provided, however, that no such assignment and transfer shall have the effect of releasing The Canadian Terminal System Limited from the terms and provisions of the said agreement in so far as the corporation of the city of Fort William is concerned. Proviso.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE 1.

### CITY OF FORT WILLIAM

#### BY-LAW No. 2914

A By-law to authorize a certain agreement with The Canadian Terminal System Limited.

The Council of the Corporation of the City of Fort William, enacts as follows:—

1. That the City may make and enter into an Agreement with The Canadian Terminal System Limited to the effect set forth in Schedule "A" hereto, and the Mayor and Clerk are hereby authorized and empowered to sign, seal with the corporate seal, execute and deliver the said agreement on behalf of the City, and any agreement already made by the City with The Canadian Terminal System Limited to the effect set forth in Schedule "A" hereto is hereby ratified and confirmed.

Done and passed this 29th day of January, A.D. 1929, as witnessed by the corporate seal of the said City and the hands of its proper officers in that behalf.

"N. B. DARRELL,"  
*Mayor.*

"A. MCNAUGHTON,"  
*Clerk.*

## SCHEDULE 2.

*Schedule "A"*

This agreement made in quintruplicate the eighth day of December, A.D. 1928.

BETWEEN:

THE CORPORATION OF THE CITY OF FORT WILLIAM  
(hereinafter called the "City"),

of the first part;

—and—

THE CANADIAN TERMINAL SYSTEM LIMITED  
(hereinafter called the "Company"),

of the second part.

Whereas the Company has applied to the City for permission to construct, operate and maintain in and under the streets and lanes and highways of the City a system of pipes, conduits and other necessary works for the distribution and supply of gas, steam and hot water for heating and fuel purposes, all of which works and system of pipes and conduits are hereinafter sometimes designated and referred to as "the distribution system";

And whereas it has been deemed advisable to grant the request of the company subject to the terms, conditions and provisions hereinafter contained;

Now therefore this indenture witnesseth, that in consideration of the covenants and agreements hereinafter contained the parties hereto mutually covenant and agree each with the other as follows:

(1) Subject to the conditions and provisions herein contained which are conditions precedent to the enjoyment of the privileges hereby granted the City hereby grants to the Company the right, authority and privilege to provide, generate and distribute in and under the streets, lanes and highways of the City gas, steam and hot water required for cooking, fuel and heating purposes only, within the present and future boundaries of the City during the period of twenty-five years from the ratification of this agreement by the votes of the electors of the said City; and such right shall become renewed and/or continued for a further period of ten years from the expiration of said twenty-five years unless a written notice to the contrary is given by either party to the other at least one year prior to the expiration of the first said twenty-five year period, the total term of this franchise not in any event to exceed thirty-five years. The notice above referred to may be served by the Company on the Mayor or Clerk of the City and by the City on the Company or its representative (at the office of the Company) in the City.

2. The City shall not during the term of this agreement or any renewal or extension thereof, grant any permit, right, authority, privilege or franchise to any person, firm or corporation other than the Company and its assigns to use any of the City's streets, lanes and/or highways for the purpose of laying pipes, mains, conduits or conductors for transmitting gas for fuel, cooking or heating purposes within the said City.

3. The City hereby gives and grants to the Company all necessary permission, leave, license, power and authority to construct, extend, repair, alter and operate the said distribution system, and to construct, extend, maintain, repair, alter and operate works, mains, pipes, conduits and conductors for the generation, transmission, storage and distribution of coal gas, natural, and other gas and of steam and hot water for fuel and/or heating purposes and by the Company's authorized officer or officers, servant or servants, agent or agents to enter upon and to construct, lay, change, maintain, repair, alter and operate in and under the streets, lanes and highways within the limits of the City a suitable system of pipes, conduits, tubes, heaters, control devices, service pipes and other works of every character or kind whatsoever required to be used or convenient for the production and/or distribution and supply of such gas, steam and hot water for the purposes aforesaid and to make any necessary

connections

connections between the said distribution system and the sewers and drains of the said City so as to properly drain the said distribution system; provided that in so far as it is reasonable or practicable so to do the said distribution system shall be laid and constructed in the lanes only of the City.

4. The Company shall commence the work hereby authorized not later than six months after the coming into force of this agreement and shall within 15 months from the date of such commencement expend at least \$300,000.00 in actual construction and erection and establishment of a coke and gas plant or plants and said distribution system and works connected therewith and have the same in operation and in case of default in the due fulfilment of these conditions the council of the City may give to the Company notice of such default and particulars thereof, and should such default continue for a period of sixty days from the receipt of such notice by the Company, the council of the City may by by-law rescind this agreement, whereupon the leave, license and the whole rights and privileges hereby granted and authorized shall be forfeited and be at an end.

4. (a) Should the construction of the works be delayed by reason of any damage which may happen by flood, fire, lightning, earthquake or cyclone, or by reason of the abandonment of the works by the employees by strike or by any cause through no fault of the Company, then the time herein fixed for completion of the works shall be extended for a period equivalent to the time lost by reason of any or all of the causes aforesaid. Should any dispute arise as to the extensions of time to which the Company is entitled by reason of the provisions in this section contained the same shall be decided in the manner hereinafter provided by clause number 30.

5. Whenever in this agreement the right or rights of the Company is or are subject to the decision or approval of the City Council or the City Engineer, such decision or approval shall not be unreasonably withheld or delayed.

6. The said distribution system shall be built, equipped, established and operated subject to the following conditions and provisions:

(a) The said distribution system so far as the same or any part thereof shall be laid within the limits of any street, lane or highway shall be located and constructed entirely below the surface of said street, lane or highway.

(b) Before being put into operation the said distribution system and all apparatus connected with the said distribution system shall be constructed, joined and laid in a substantial manner and shall be supplied with standard equipment and appliances and completed in the most modern and efficient manner in order that leakage may be reduced to a minimum. The losses through leakage will be checked and reported to the City annually.

(c) Before entering upon any street, lane or highway to construct any part of the said distribution system the Company shall make application to the City Engineer for a permit so to do, naming the street or streets, or lane or lanes, or highways along or across which it desires to operate the said distribution system or any part thereof and before in any way proceeding with the said work it shall first receive the approval of the City Engineer.

(d) The construction of any portion of the said distribution system for which permission has been given by the City Engineer in terms of the immediately preceding subsection hereof shall not be commenced until a plan thereof showing the proposed location in the street, lane or highway shall have been submitted to and approved in writing by the City Engineer. Should such plans as are submitted not be approved by the City Engineer, he shall, within seven days after delivery to him of such plans, convey to the Company information as to the changes required to make such plans acceptable, and the Company's distribution system shall be erected or moved by the Company only in accordance with the plans as approved in writing by the City Engineer.

(e) In the use of such streets, lanes and highways, such use shall be made by the Company with the least possible damage and inconvenience

to

to the said City and the inhabitants thereof; and the Company shall, within reasonable time, repair the said streets, lanes and highways and the sub-soil and surface thereof to a condition equally as good as before being disturbed as nearly as it may be practicable to do so and if the Company shall fail, refuse or neglect so to restore the said streets, lanes and highways and the sub-soil and surface thereof, including the sidewalks and pavements and any water pipes or sewer pipes or other property of the City to a condition equally as good as before being disturbed as nearly as it may be practicable to do so after notice has been served upon it so to do, then the City may cause the same to be done and charge and collect the cost thereof from the Company, without limiting the liability of the Company hereunder the Company shall at all times leave on deposit with the City Treasurer the sum of \$1,000.00 to be used and applied by the City in and towards such restoration.

(f) The Company shall have the right to tap or connect with any sewer in any street, lane or highway occupied by any part of its distribution system but the Company shall not disturb or interfere with or make any connection to any sewer pipe, conduit or other fixture or property owned by or under the control of the City without first obtaining the written consent of the City Engineer, all of which work shall be done to the satisfaction of and shall be subject to the inspection and approval of the City Engineer.

(g) The Company shall have the right to establish rules and regulations as to the mode and manner in which the buildings of the consumers shall be fitted with proper piping, fittings and apparatus for the reception and distribution of the Company's gas, steam and hot water.

(h) The inspection and testing of meters shall be subject to the rules and regulations of the gas inspection department of the Dominion Government. The City acting through its City Engineer, shall have the right to remove any meter of the Company from the premises of any consumer for the purpose of testing the same. The Company shall be required, whenever deemed necessary by the City Engineer, to supply immediately to any consumer whose meter may be removed for inspection, another meter for use during the time required for such inspection. Any consumer shall have the right, on payment to the said City Engineer of a fee of Two Dollars (\$2.00) to have his meter inspected and may be present at any such test if he so desires and the Company shall have notice that such test is to be made and any authorized agent of the Company may be present at such test if he so desires. If any such meter, on being tested, shall be found to register inaccurately to an extent exceeding two per centum, the fee of Two Dollars (\$2.00) paid by such consumer shall be returned to the Consumer by the Company. The officer making the inspection shall also mark such meter as inaccurate, and the Company shall not allow the same to be used until the defect is remedied, the meter again inspected by said officer and found to be correct, and so certified. Every meter shall be considered correct and sealed accordingly which shall register quantities varying from the true actual consumption not more than two per centum, and a record shall be kept of the same and of all fees so collected. Whenever a consumer shall have his meter tested as herein provided and the same shall be found correct, then the inspection fee shall not be returned but shall be paid to the Company.

(i) Where not otherwise specifically provided in this agreement the Company shall conform with and be subject to all present and future by-laws, regulations and practices of the City relating to excavating, excavations and openings in streets, lanes and highways and the making of sewer connections.

7. The Company shall use a uniform method of keeping accounts, records and books in connection with its gas and heating system and the said accounts, records and books shall contain and disclose the whole details of the finances and business of the Company relating to the said gas and heating system.

8. Not less than once in each calendar year the Company shall prepare a financial report covering the operation of the Company's gas and heating

system within the City and showing the receipts and expenditures of the Company in respect thereof during the preceding year. A copy of this report shall be submitted to the City and the City shall have the right through any duly authorized auditor at all times to examine the Company's books and affairs in order to check the accuracy of such report.

9. Extensions and additions to the Company's distribution system so as to give service to any district within the City shall be made forthwith by the Company whenever the gross annual revenue to be received from such extensions and additions is commensurate with the expenditure involved (which necessary gross annual revenue shall be taken as a sum equal to thirty per centum of the total expenditure involved in making such extension or extensions). It is further agreed that in cases where extensions are desired and such necessary revenue is not available the Company and the prospective consumer or consumers shall have the privilege of making any other arrangement which may be acceptable to the interests involved. The Company shall not be compelled to make any additions or extensions to its said distribution system between the first of November in any year and the first of June in any succeeding year.

10. The Company is to place and keep within the limits of the City the machinery, by-product coke and gas plant, generating plant and all other plants and works of every description in and by which the gas, steam and water supplied to the Company's consumers within the City is manufactured, generated or created.

11. The Company shall indemnify and save harmless the said City from and against all loss, costs, damages, charges, interest and expenses which the said City may suffer, incur, or be put to by reason of, as a result of, or on account of the construction, erection, installation, maintenance or operation of the distribution system and works contemplated hereby.

Without limiting the liability of the Company hereunder the Company shall, before commencing to construct any portion of its distribution system, execute and deliver to the City a bond in the sum of \$10,000.00 of a good and reliable company satisfactory to the Council as collateral security for the due payment by the Company, during the time of construction of the said distribution system and works contemplated hereby, of all moneys which the City may be entitled to recover against the said Company hereunder, but such bond shall in no way limit the liability of the Company under this paragraph or otherwise.

12. This agreement shall be binding upon and be enforceable by not only both parties hereto but also their respective successors and assigns, and it is distinctly understood and agreed that the Company shall have full power and authority to assign this agreement and all benefit and advantage to be derived hereunder, provided, however, that no assignment by the Company of this Agreement shall be valid until same has been approved by resolution of the Council of the City.

13. Upon the termination of this agreement and the franchise hereby granted, by effluxion of time or otherwise, the City may purchase from the Company its plant and distribution system in so far as the same may be required to meet the requirements of the area within the corporate limits of the City and shall pay to the Company therefor a sum of money equal to the replacement value of such property, plant, distribution system and equipment less depreciation. In the event of the Company's franchise being terminated as hereinbefore provided and not renewed then the Company may remove without loss, damage or expense to the City from the City such portion of its property as has not been required and purchased by the City as above provided in this clause 13; provided nevertheless that if this agreement is not terminated before said thirty-five year period, then thereafter if the parties hereto shall desire the Company to carry on its operations within the City, the City shall grant to the Company a further franchise for carrying on the Company's operations, said franchise to be given upon such terms and conditions as may be agreed upon between the parties hereto.

14. The Company in the event of the exercise of any of such rights to purchase shall not be bound to deliver possession of any of its property

until



until it has received payment of the purchase price found as herein provided in full but will then convey such property and all its rights therein to the City clear of all encumbrances.

15. Provided, however, that the rights, privileges and franchises hereinbefore granted, shall in every respect be subject and subservient to the rights of the said City to use the said streets, lanes or highways for all purposes within the powers of the said City, and provided further that, without limiting the general provisions of this Section the said City shall have the right from time to time and at all times, without being liable for any compensation or damage that may be occasioned thereby to the Company, or the construction, maintenance or operation of the said distribution system, or the plant and works connected therewith, to order the removal, alteration, taking up and relaying of such of the said distribution system of the Company which may be situate or placed in, upon or under the said streets, lanes, highways or public places as may be "reasonably necessary" to allow the construction, repairing, maintenance or operation of any work of the City or the carrying out of any purpose within the powers of the said City, but the said City shall not unnecessarily or unreasonably interfere with or delay the construction or operation of the Company's said distribution system or its plant or works in connection therewith. This agreement and the rights and privileges created and authorized hereby are subject also to any rights, statutory or otherwise, of any other person, firm or corporation which now has or may hereafter have power to take up the said streets, lanes or highways or otherwise use them.

16. Should the Company apply to the Legislature of the Province of Ontario for an Act validating and confirming this franchise agreement the City will support and assist such application and the Company will at the request of the City make such application.

17. The Company shall supply gas to consumers in the said City at and be entitled to charge and collect therefor rates, bills, rentals and charges not exceeding those set forth in the following schedule, namely:—

#### FOR COOKING PURPOSES

\$1.50 net per 1,000 cubic feet for the first 2,000 cubic feet per month.  
\$1.35 net per 1,000 cubic feet for the next 5,000 cubic feet per month.  
\$1.00 net per 1,000 cubic feet for all amounts over 7,000 cubic feet per month.

#### FOR HEATING PURPOSES

\$1.00 net per 1,000 cubic feet for the first 25,000 cubic feet per month.  
\$0.85 net per 1,000 cubic feet for the next 25,000 cubic feet per month.  
\$0.75 net per 1,000 cubic feet for all amounts over 50,000 cubic feet per month.

#### COMBINATION COOKING AND HEATING RATES

\$1.50 net per 1,000 cubic feet for the first 2,000 cubic feet per month.  
\$1.35 net per 1,000 cubic feet for the next 5,000 cubic feet per month.  
\$1.00 net per 1,000 cubic feet for the next 18,000 cubic feet per month.  
\$0.85 net per 1,000 cubic feet for the next 25,000 cubic feet per month.  
\$0.75 net per 1,000 cubic feet for all amounts over 50,000 cubic feet per month.

No minimum charge will be made.

The Company reserves the right to make special contracts, with large commercial consumers.

#### PENALTY

An additional charge of ten per cent. may be added to all bills not paid within fifteen days of date of rendering of account.

Notwithstanding

Notwithstanding anything hereinbefore contained the said Company shall be bound to furnish gas to all persons, parties or corporations desiring to use the same within the limits of the said City at as favorable a rate as the same may from time to time be supplied by the Company to any other person, party or corporation within the limits of any other Municipality in the District of Thunder Bay, having regard to the conditions and terms upon which the same are being supplied in such other Municipality.

18. The gas generated will be coal gas or other gas of similar value and will be distributed at a standard calorific value of 500 B. T. U's. per cubic feet and under the standard pressure of three inches water column. In the event of the Company deeming it advisable to change the calorific value or pressure the City Engineer must first approve of such change and the Company will thereafter adjust all gas burners free of charge. The rates for the gas sold to consumers by the Company will thereafter be adjusted in accordance with the relative calorific value of the gas sold compared with 500 B. T. U's. per cubic foot.

19. Service pipes making connections to the Company's distribution system will be installed by the Company as far as the meter upon the consumer's premises and the consumer will be required to pay for the actual cost of the portion of the service pipes laid within the limits of the property which he occupies. The consumer will also be required to provide at his expense the necessary piping and heating apparatus within the building commencing at the meter. All meters will be supplied by the Company and will remain the property of the Company.

20. The Company will assume the responsibility for damage to its distribution system from electrolysis but the City shall take all possible precaution to prevent and remedy any such damage.

21. The Company agrees that any material discharged from the Company's plant and property into the City sewer or directly into the rivers or lake adjoining or in the City will be arranged in such a manner as not to pollute or in any way injure Lake Superior as a water supply. If the Company desires to so discharge any material which may be injurious to Lake Superior as a water supply it must before discharging any such material obtain the approval of the Board of Health of the Province of Ontario.

22. In the event of natural gas being found in the District which can be supplied to the Company and adapted for carrying out the provisions of this franchise and agreement at a rate less than the cost to the Company of production of gas by the Company then in every such case the Company shall immediately endeavour to enter into a contract for the supply of such natural gas to the Company by the owner or distributor thereof, and when such supply is obtained the Company shall thereupon make a corresponding reduction in its rates and charges to consumers within the boundaries of the City.

23. All fire insurance placed or held by the Company upon any of its property in the City of Fort William shall during the currency hereof be placed with or through local fire insurance agents residing and carrying on business in the City of Fort William provided such insurance can be so placed equally advantageously to the Company in said City as same may be placed elsewhere.

24. All men employed in the erection of said plant, works and equipment either by the Company, or by any contractor or subcontractor or by the Company in the operation thereof, or by any other corporation, firm or person on said property, as aforesaid, shall be paid in cash in the City of Fort William, or by cheque on some bank in the said City.

25. All men employed by the Company or by any contractor or subcontractor or otherwise, in the erection or operation of such plant, works and equipment and any other plant, works and equipment on the property herein described, shall be paid not less than the prevailing wages for either time or piece work from time to time in force in Fort William for their respective trades for the same grade of work therein and all such men shall be paid semi-monthly.



26. The pay rolls of the Company as to men employed and wages paid shall be open for inspection by the City from time to time during the terms hereof; said inspection to be made through a duly chartered accountant, employed by the Council, which inspection may be made at reasonable hours; if so required the Company shall from time to time at reasonable periods, during the said term, satisfy the City by declaration or affidavit that they have complied with the provisions hereof.

27. The Company agrees to take from the City all electrical power or energy required by it in connection with the said distribution system and the works connected therewith and contemplated hereby.

28. Once the Company starts to supply gas hereunder such supply shall be continuous, and in the event of the Company making a default in supplying gas for a period of six months not caused by fire, accident, tempest or other causes beyond the control of the Company then all rights, privileges and franchises herein granted may at the option of the Council of the said City be rescinded and determined.

29. In the event of the Company making a substantial breach of the provisions of this agreement not the direct and immediate result of strikes, fire, accident, tempest or other circumstances beyond the control of the Company, then in each and every such case the rights, privileges, and franchises hereby granted to the Company shall, at the option of the Council of the City, if not remedied within thirty days after notice in writing of such breach has been given by the City to the Company or its representative in the said City, cease and be determined.

30. Whenever in or under this agreement there may arise any matter or matters in dispute between the parties hereto such matter or matters so in dispute including any question as to increase or decrease in rates charged by the Company shall be referred to The Ontario Railway and Municipal Board or its successor or successors in office for decision. Should the said Board be unable or unwilling to act in respect of such matter or matters or if the parties hereto agree said matter or matters shall be referred to arbitration in the manner following namely, to three arbitrators, one to be appointed by the City, one to be appointed by the Company, and these two to choose a third, and the decision of the majority of such arbitrators shall be final and binding on the parties hereto, subject to the right of appeal under *The Arbitration Act*, R.S.O., Chap. 97, and such Act shall except as herein otherwise provided apply to such arbitration.

31. (a) Municipal Council shall mean the Municipal Council of the City of Fort William, in Ontario.

(b) The expression "City Engineer" shall mean the City Engineer for the time being of the said City of Fort William or such other officer as may be authorized to discharge the duties of the City Engineer.

32. This agreement shall not come into force and effect until approved by the electors of the said City as required by the Statutes in that behalf, and unless and until so approved shall have no force or effect.

In witness whereof the parties hereto have caused their corporate seals to be hereunto affixed duly attested by the hands of their proper officers respectively in that behalf.

(City's Seal)

THE CORPORATION OF THE CITY OF FORT WILLIAM,

Per (Sgd.) J. E. CRAWFORD, Mayor.

(Sgd.) A. McNAUGHTON, Clerk.

(Company's Seal)

THE CANADIAN TERMINAL SYSTEM LIMITED,

Per (Sgd.) H. ADDISON JOHNSTON,  
General Manager.

(Sgd.) E. J. S. WALLWORK,  
Secretary.

## CHAPTER 135

An Act respecting the United Fuel Investments,  
Limited, the Town of Oakville, the Townships  
of Trafalgar and Nelson, Burlington Beach  
Commission and the Police Village  
of Bronte.

*Assented to 28th March, 1929.*

**W**HEREAS the corporation of the town of Oakville, the <sup>Preamble.</sup> corporation of the township of Trafalgar, the corporation of the township of Nelson, the Burlington Beach Commission, the Board of Trustees of the Police Village of Bronte, and United Fuel Investments, Limited, have by petitions set forth that the by-laws set forth in schedules "A," "B," "C" and "E" to this Act were respectively submitted to the municipal electors of the said town, the said townships, and the said police village, as follows: by-law number 792 of the corporation of the town of Oakville, on December 14, 1928, when 677 electors voted for the by-law and 33 against it; by-law number 442 of the corporation of the township of Trafalgar, on December 28, 1928, when 193 electors voted for the by-law and none against it; by-law number 869 of the corporation of the township of Nelson, on December 22, 1928, when 80 electors voted for the by-law and 5 against it; by-law number 1 of the board of trustees of the police village of Bronte, on December 22, 1928, when 107 electors voted for the by-law and none against it; and whereas the said corporations and United Fuel Investments, Limited, have by their petitions prayed that an Act may be passed to confirm the said by-laws and also by-law number 70 of the Burlington Beach Commission as set forth in schedule "D" to this Act; and whereas it is expedient to grant the prayer of the said petitions;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law number 792 passed by the council of the corporation of the town of Oakville as set forth in schedule "A" <sup>By-laws confirmed.</sup> to this Act; by-law number 442 passed by the council of the

corporation

corporation of the township of Trafalgar as set forth in schedule "B" to this Act; by-law number 869 passed by the council of the corporation of the township of Nelson as set forth in schedule "C" to this Act; by-law number 70 passed by the Burlington Beach Commission as set forth in schedule "D" to this Act; and by-law number 1 passed by the board of trustees of the police village of Bronte as set forth in schedule "E" to this Act, being by-laws granting to United Fuel Investments, Limited, and its assigns exclusive franchises for thirty years from January 1, 1929, to supply gas and to make use of the highways for such purpose, are hereby confirmed and declared to be legal, valid and binding on the said corporations and the said police village, and on the ratepayers thereof.

**Agreements.**

**2.** The said corporations and the trustees of the said police village may enter into such agreements with United Fuel Investments, Limited, and its assigns, as may be necessary for the purpose of carrying out the provisions of the said by-laws.

Mains, pipes  
etc., to  
become  
property of  
municipality  
if not  
removed.

**3.** If the company referred to in the by-laws scheduled hereto shall not remove all its mains, pipes, plant and works laid out in the streets, public squares, lanes and public places as set out in the said by-laws within one year after the expiration of the said period of thirty years or within one year after the expiration of any subsequent period or periods during which the company shall be authorized to retain and use the same, the said mains, pipes, plant and works or so much thereof as shall not have been so removed shall become the property of the corporation or corporations having under its or their jurisdiction the streets, public squares, lanes and public places in, on or under which the mains, pipes, plant and works which shall not have been removed are located.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

## BY-LAW NO. 792 OF THE CORPORATION OF THE TOWN OF OAKVILLE

The Council of the Corporation of the Town of Oakville, enacts as follows:—

1. The consent, permission and authority of the Corporation of the Town of Oakville (hereinafter referred to as the Corporation) are hereby given, and an exclusive franchise for a period of thirty years from January first, one thousand nine hundred and twenty-nine, is hereby granted to United Fuel Investments Limited (hereinafter referred to as the Company, which expression where the context admits, shall include its successors and assigns) to enter upon all streets and public squares, and all lanes and other public places, now or at any time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the transportation and distribution and supply of gas in the said Town of Oakville, for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares and lanes and public places all necessary regulators, valves, curb boxes, safety appliances, and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Town Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company before beginning any work in the said Town of Oakville under this By-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve, and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom to any person or property.

8. (a) The Company shall render its accounts monthly, and shall not charge the Corporation or consumers within the limits of the said municipality, more than One Dollar (\$1.00) per thousand cubic feet of gas;

As the Company is dependent for its source of supply upon the Hamilton By-Product Coke Ovens Limited, which use bituminous coal as a raw material in its manufacturing plant, should the price of this raw material be materially increased, due to strikes or other conditions above a base price of Five Dollars (\$5.00) per ton for such coal delivered at Hamilton, the price of gas may be increased to the consumer in accordance with the following method:

(a) For each increase of Ten cents (.10) per ton in the delivered cost of coal at Hamilton, the price of gas shall be increased One cent (.01) per thousand cubic feet; it being understood that the price of gas shall be reduced when the cost of coal returns to the said price of Five Dollars (\$5.00) per ton; such increase or decrease not to be applied except in uniform advances or reductions of five cents (.05) per thousand; subject always to a discount of five cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

(b) In addition to the charges aforesaid the said Company shall be entitled to charge each consumer a service charge of Fifty cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.

(c) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.

(d) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(e) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinafore mentioned, to the Corporation, and to all inhabitants of the said Municipality, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this by-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this by-law, and of the submission thereof for the assent of the electors of the Town of Oakville.

11. In the event of the Company being prevented from carrying out its obligations under this by-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratification of this by-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Town of Oakville, in accordance with the terms of this by-law, the Council may by by-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said Municipality by the Company; and in the event of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

14. Upon the expiration of the said period of thirty years the Company shall have the right, but nothing herein contained shall require it, to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided however that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This by-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof of the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this by-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Mayor and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.



17. The rights, powers, privileges and franchises granted to the Company by this by-law, or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

18. This by-law shall not come into force or take effect until it has been assented to by the Municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

19. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of Oakville within ten months from the date of the passing hereof.

Passed this 14th day of January, 1929.

TOWN OF OAKVILLE,

THOS. A. BLAKELOCK, *Mayor*.

A. E. RYAN, *Clerk*.

## SCHEDULE "B."

### BY-LAW NO. 442 OF THE CORPORATION OF THE TOWNSHIP OF TRAFALGAR.

The Council of the Corporation of the Township of Trafalgar, enacts as follows:—

1. The consent, permission and authority of the Corporation of the Township of Trafalgar (hereinafter referred to as the Corporation) are hereby given, and an exclusive franchise for a period of thirty years from January first, one thousand nine hundred and twenty-nine, is hereby granted to United Fuel Investments Limited (hereinafter referred to as the Company, which expression where the context admits, shall include its successors and assigns) to enter upon all streets and public squares, and all lanes and other public places, now or at any time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the transportation and distribution and supply of gas in the said Township of Trafalgar for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares and lanes and public places all necessary regulators, valves, curb boxes, safety appliances, and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas. Provided however, that if at any time during the period of the franchise hereby granted the Company shall not be serving the inhabitants of some specific area in that part of the Township lying to the north of the Concession Line between the First and Second Concessions north of Dundas Street, and if *bona fide* negotiations shall be entered into between the Corporation and some other person or company looking to such other person or company supplying the inhabitants of such area with gas, then the Corporation may deliver to the company notice in writing requiring it to extend its mains and lines of pipe so as to enable it to supply gas within the said specific area and if the company shall not agree, in writing, with the said Corporation, within two months after delivery of such notice, so to extend its mains and lines of pipe, or if having so agreed the Company shall not actually so extend such mains and lines of pipe within twelve months after delivery of such notice, and if the Corporation shall thereupon grant a franchise to such other person or company in respect of such specific area, then this franchise in respect of such specific area shall cease to be inclusive, but the franchise granted to such other person or company in respect of such specific area shall be and become void, and the franchise hereby granted shall again become exclusive in respect of such specific area, if such other

person

person or company shall fail to construct mains and lines of pipe so as to enable him or it to supply with gas the inhabitants of such specific area within two years after the delivery of the said notice in writing.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Township Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company before beginning any work in the said Township of Trafalgar under this by-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof, or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damages or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.



7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom to any person or property.

8. The Company shall render its accounts monthly, and shall not charge the Corporation or consumers within the limits of the said Municipality, more than One Dollar (\$1.00) per thousand cubic feet of gas;

As the Company is dependent for its source of supply upon the Hamilton By-Product Coke Ovens Limited, which use bituminous coal as a raw material in its manufacturing plant, should the price of this raw material be materially increased, due to strikes or other conditions above a base price of Five Dollars (\$5.00) per ton for such coal delivered at Hamilton, the price of gas may be increased to the consumer in accordance with the following method:

(a) For each increase of Ten cents (.10) per ton in the delivered cost of coal at Hamilton, the price of gas shall be increased One cent (.01) per thousand cubic feet, it being understood that the price of gas shall be reduced when the cost of coal returns to the said price of Five Dollars (\$5.00) per ton; such increase or decrease not to be applied except in uniform advances or reductions of Five cents (.05) per thousand; subject always to a discount of Five cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

(b) In addition to the charges aforesaid the said Company shall be entitled to charge each consumer a service charge of Fifty cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.

(c) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.

(d) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(e) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said Municipality occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this by-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. Whenever there shall be tendered to the Company *bona fide* applications and contracts to purchase gas to the amount of 200,000 cubic feet per month for at least one year, such gas to be supplied within a radius of a quarter of a mile from any point in a then existing line of pipe laid down by the Company in the said Municipality (which applications and contracts shall conform to the Company's general rules and regulations

not inconsistent herewith), together with adequate security from each applicant, for the payment by him of the Company's charges then and in every such case the Council of the Corporation may order and direct that the Company within three months thereafter shall extend its line of pipe and furnish gas to such applicants in the manner, and on the conditions hereinbefore provided so far as its facilities will permit.

11. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this by-law, and of the submission thereof for the assent of the electors of the Township of Trafalgar.

12. In the event of the Company being prevented from carrying out its obligations under this by-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

13. In case either party deems it necessary or advisable to obtain ratification of this by-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

14. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Township of Trafalgar in accordance with the terms of this by-law, the Council may by by-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said Municipality by the Company; and in the event of same not being removed in one year from such termination, the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

15. Upon the expiration of the said period of thirty years the Company shall have the right, but nothing herein contained shall require it, to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to affect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

16. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, power and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

17. This by-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof, the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this by-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Reeve and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

18. The rights, powers, privileges and franchises granted to the Company by this by-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

19. This by-law shall not come into force, or take effect until it has been assented to by the Municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

20. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of the Township of Trafalgar within ten months from the date of the passing hereof.

Third reading, January 14th, 1929.

(SEAL)

A. BUCK, *Deputy Reeve.*

S. H. ALBERTSON, *Clerk.*

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### SCHEDULE "C."

#### BY-LAW NO. 869 OF THE CORPORATION OF THE TOWNSHIP OF NELSON.

The Council of the Corporation of the Township of Nelson, enacts as follows:—

1. The consent, permission and authority of the Corporation of the Township of Nelson (hereinafter referred to as the Corporation) are hereby given, and an exclusive franchise for a period of thirty years from January first one thousand nine hundred and twenty-nine, is hereby granted to United Fuel Investments Limited (hereinafter referred to as the Company, which expression where the context admits, shall include its successors and assigns) to enter upon all streets and public squares, and all lanes and other public places in all parts of Concessions Two, Three and Four south of Dundas Street and in Brant's Block now or at any time hereafter within the jurisdiction of the Council to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the transportation and distribution and supply of gas in the said portion of the Township of Nelson for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares and lanes and public places all necessary regulators, valves, curb boxes, safety appliances, and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Township Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company before beginning any work in the said Township of Nelson under this by-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof, or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions or of additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom to any person or property.

8. The Company shall render its accounts monthly, and shall not charge the Corporation or consumers within the limits of the said Municipality, more than One Dollar (\$1.00) per thousand cubic feet of gas;

As the Company is dependent for its source of supply upon the Hamilton By-Product Coke Ovens Limited, which use bituminous coal as a raw material in its manufacturing plant, should the price of this raw material be materially increased, due to strikes or other conditions above a base price of Five Dollars (\$5.00) per ton for such coal delivered at Hamilton, the price of gas may be increased to the consumer in accordance with the following method:

(a) For each increase of Ten cents (.10) per ton in the delivered cost of coal at Hamilton, the price of gas shall be increased One cent (.01) per thousand cubic feet; it being understood that the price of gas shall be reduced when the cost of coal returns to the said price of Five Dollars (\$5.00) per ton; such increase or decrease not to be applied except in uniform advances or reductions of Five cents (.05) per thousand; subject always to a discount of Five cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

(b) In addition to the charges aforesaid the said Company shall be entitled to charge each consumer a service charge of Fifty cents (.50) per month for each meter from the date the said meter is installed until notice

is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.

(c) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.

(d) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(e) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said Municipality occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this by-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. Whenever there shall be tendered to the Company *bona fide* applications and contracts to purchase gas to the amount of 200,000 cubic feet per month for at least one year, such gas to be supplied within a radius of a quarter of a mile from any one point in a then existing line of pipe laid down by the Company in the said Municipality (which applications and contracts shall conform to the Company's general rules and regulations not inconsistent herewith), together with adequate security from each applicant, for the payment by him of the Company's charges then and in every such case the Council of the Corporation may order and direct that the Company within three months thereafter shall extend its line of pipe and furnish gas to such applicants in the manner, and on the conditions hereinbefore provided so far as its facilities will permit.

11. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this by-law, and of the submission thereof for the assent of the electors of the Township of Nelson.

12. In the event of the Company being prevented from carrying out its obligations under this by-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

13. In case either party deems it necessary or advisable to obtain ratification of this by-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

14. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Township of Nelson in accordance with the terms of this by-law, the Council may by by-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all

its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said Municipality by the Company; and in the events of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

15. Upon the expiration of the said period of thirty years the Company shall have the right, but nothing herein contained shall require it, to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

16. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

17. This by-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof, the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this by-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Reeve and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

18. The rights, powers, privileges and franchises granted to the Company by this by-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

19. This by-law shall not come into force, or take effect until it has been assented to by the Municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

20. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of the Township of Nelson within ten months from the date of the passing hereof.

By-law passed this 20th day of February, A.D. 1929.

H. M. PETTIT, *Reeve*.

(Seal)

J. F. RICHARDSON, *Clerk*.

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## SCHEDULE "D."

### BY-LAW No. 70.

#### RE FRANCHISE—UNITED FUEL INVESTMENTS, LIMITED.

The Burlington Beach Commission enacts as follows:

1. The consent, permission and authority of the Burlington Beach Commission (hereinafter referred to as the Commission) are hereby given, and an exclusive franchise for a period of thirty years from January first, one thousand nine hundred and twenty-nine, is hereby granted to United Fuel Investments, Limited (hereinafter referred to as the Company, which expression where the context admits, shall include its successors and assigns) to enter upon all streets and public grounds, and all lanes and other public

places,



places, now or at any time hereafter within the jurisdiction of the Commission, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the transportation and distribution and supply of gas across and in Burlington Beach, for fuel, heating and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public grounds and lanes and public places all necessary regulators, valves, curb boxes, safety appliances, and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before to the satisfaction of the Commission all streets and public grounds, and all lanes and public places, which it may excavate or interfere with in the course of the construction, repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and shall well and sufficiently indemnify the Commission against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair, removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Commission may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public ground or lanes or public places shall be made or done unless a permit therefor shall have been granted by the Commission and all such work shall be done under its supervision, and to its satisfaction, and in cases where an Inspector on behalf of the Commission is considered necessary by it, the wages of such Inspector shall be paid by the Company.

The location of all pipes, or works on streets and public grounds and lanes and public places, shall be subject to the direction and approval of the said Commission.

4. The Company before beginning any work in the said Burlington Beach under this by-law shall file with the said Commission a plan drawn to a scale, showing the streets and public grounds and lanes and public places, in which it proposes to lay mains and pipes and construct work, and the particular parts thereof or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Commission of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used or granted in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company, and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Commission expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public grounds, lanes and public places, now or hereafter within the jurisdiction of the Commission, sewers, culverts, drains, water pipes and conduits and other plant and equipment of the Commission used in connection with the supplying of public services, and to alter, improve, and repair said streets and public grounds, lanes and public places whenever the Commission shall deem that the same is necessary or desirable.

6. The Company shall make good to the Commission all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Commission, by the works or operations of the Company

or by the escape or leakage of gas and all expenses incurred by the Commission by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Commission against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom to any person or property.

8. The Company shall render its accounts monthly, and shall not charge the Commission or consumers within the limits of the said Burlington Beach, more than One Dollar (\$1.00) per thousand cubic feet of gas.

As the Company is dependent for its source of gas supply upon the Hamilton By-Product Coke Ovens, Limited, which uses bituminous coal as a raw material in its manufacturing plant, should the price of this raw material be materially increased, due to strikes or other conditions above a base price of Five Dollars (\$5.00) per ton for such coal delivered at Hamilton, the price of gas may be increased to the consumer in accordance with the following methods:

(a) For each increase of ten cents (.10) per ton in the delivered cost of coal at Hamilton, the price of gas shall be increased one cent (.01) per thousand cubic feet; it being understood that the price of gas shall be reduced when the cost of coal returns to the said price of Five Dollars (\$5.00) per ton; such increase or decrease not to be applied except in uniform advances or reductions of five cents (.05) per thousand; subject always to a discount of five cents (.05) per thousand cubic feet on all bills paid within fourteen days after the presentation thereof.

(b) In addition to the charges aforesaid the said Company shall be entitled to charge each consumer a service charge of fifty cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove same. Meters shall be furnished by the Company to all consumers of its gas.

(c) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.

(d) No charge shall be made by the Company for any supply pipe from a lateral or trunk line main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(e) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Commission, and to all inhabitants of the said Burlington Beach, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this by-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.



10. The Company shall pay the costs, charges and expenses of the Commission and of its solicitor of and incidental to the preparation and passing of this by-law.

11. In the event of the Company being prevented from carrying out its obligations under this by-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratification of this by-law by the Legislature of the Province of Ontario or the Lieutenant-Governor in Council, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in Burlington Beach in accordance with the terms of this by-law, the Commission may by by-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public grounds, lanes and public places of the said Burlington Beach by the Company; and in the event of same not being removed within one year from such termination, the same, or so much thereof as shall not have been removed, shall become the property of the said Commission.

14. Upon the expiration of the said period of thirty years the Company shall have the right, but nothing herein contained shall require it, to remove its mains, pipes, plant and works laid in the streets and public grounds, lanes and public places and for such purpose shall have one year to effect the removal of the same, and in the event of same not being removed within one year from the expiration of the said period of thirty years, the same or so much thereof as shall not have been removed shall become the property of the said Commission; provided, however, that nothing herein contained shall prevent the Commission and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This by-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Commission unless within three months after the final passing hereof the Company and (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or Company) the assignee of the Company shall execute and deliver to the Commission a covenant duly executed by the Company and its assignee, if any, under seal, to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Commission and the Company and its assignee, if any, embodying all the terms, conditions and provisions of this by-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Chairman and Secretary of the said Commission are hereby authorized to execute the said agreement on behalf of the Commission, and to affix the seal of the Commission thereto.

17. The rights, powers, privileges and franchises granted to the Company by this by-law and/or the last-mentioned agreement, may be assigned to any person or Company upon such person or Company executing and delivering to the Commission a covenant under seal legally binding such person or Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein and in said agreement contained, but so that the obligations of the Company hereunder and under said agreement shall not be avoided.

18. The Company or its Assignee shall commence within three months after the passing of this by-law to lay its pipes in the said Burlington

Beach and shall within ten months from the date of the passing hereof be ready to supply gas to all inhabitants thereof requiring such supply. If the Company or its Assignee shall not have commenced to lay its pipes in Burlington Beach within the period of three months mentioned aforesaid and within the period of ten months aforesaid be ready and willing to supply therefrom with gas all inhabitants requiring such supply, the Commission may by resolution or by-law terminate the rights and privileges granted by this by-law and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets and public grounds, lanes and public places of the said Burlington Beach by the Company; and in the event of the same not being removed within one year after receiving notice of the passing of such resolution or by-law or so much thereof as shall not have been removed the same shall become the property of the said Commission, in which case the Company shall restore the streets and public grounds, lanes and public places from which its mains, pipes, plant and works have been removed to as good a condition as they were in before and to the satisfaction of the Commission.

19. The Company shall pay to the Commission the sum of \$500.00 annually during the said period of thirty years for the rights, powers, privileges and franchises hereby and by said proposed agreement to be granted and the said annual payment of \$500.00 shall be accepted by the Commission in lieu of any claim by the Commission for taxes, assessments and rates against the Company or its property on Burlington Beach. The first of said \$500.00 payments shall be made on the first day of January, 1930, and annually thence thereafter during the whole of said period and in default of payment of any of such instalments within three months from the first day of January in any year the Commission may by by-law terminate the rights and privileges hereby granted and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public grounds, lanes and public places of the said Burlington Beach by the Company; and in the event of same not being removed within one year from such termination, the same, or so much thereof as shall not have been removed, shall become the property of the said Commission.

Passed this 19th day of December, A.D. 1928.

THE BURLINGTON BEACH COMMISSION.

JAS. CROOKS,  
*Chairman.*

R. L. OATEN,  
*Secretary.*

(Seal)

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### SCHEDULE "E."

#### BY-LAW No. 1 OF THE BOARD OF TRUSTEES OF THE POLICE VILLAGE OF BRONTE.

The Board of Trustees of the Police Village of Bronte enact as follows:

1. The consent, permission and authority of the Board of Trustees of the Police Village of Bronte (hereinafter referred to as the Corporation) are hereby given, and an exclusive franchise for a period of thirty years from January First, One thousand nine hundred and twenty-nine, is hereby granted to United Fuel Investments, Limited (hereinafter referred to as the Company, which expression where the context admits shall include its successors and assigns), to enter upon all streets and public squares, and all lanes and other public places, now or at any time hereafter within the said Police Village, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the transportation and distribution and supply of gas in the said Police Village, for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of

such

such streets and public squares and lanes and public places all necessary regulators, valves, curb boxes, safety appliances, and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The Company shall well and sufficiently restore forthwith, to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Chairman of the Board of Trustees of the Police Village of Bronte, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Chairman.

4. The Company before beginning any work in the said Police Village under this by-law shall file with the said Chairman a plan drawn to scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and work proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Chairman of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the said Police Village, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages,

costs

costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom to any person or property.

8. The Company shall render its accounts monthly, and shall not charge the Corporation or consumers within the limits of the said Police Village more than One Dollar (\$1.00) per thousand cubic feet of gas.

As the Company is dependent for its source of supply upon the Hamilton By-Product Coke Ovens, Limited, which use bituminous coal as a raw material in its manufacturing plant, should the price of this raw material be materially increased, due to strikes or other conditions above a base price of Five Dollars (\$5.00) per ton for such coal delivered at Hamilton, the price of gas may be increased to the consumer in accordance with the following method:

(a) For each increase of Ten Cents (.10) per ton in the delivered cost of coal at Hamilton, the price of gas shall be increased One cent (.01) per thousand cubic feet; it being understood that the price of gas shall be reduced when the cost of coal returns to the said price of Five Dollars (\$5.00) per ton; such increase or decrease not to be applied except in uniform advances or reductions of five cents (.05) per thousand; subject always to a discount of Five cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

(b) In addition to the charges aforesaid the said Company shall be entitled to charge each consumer a service charge of Fifty cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.

(c) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.

(d) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(e) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said Police Village occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this by-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this by-law, and of the submission thereof for the assent of the electors.

11. In the event of the Company being prevented from carrying out its obligations under this by-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratification of this by-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Police Village of Bronte, in accordance with the terms of this by-law, the Corporation may by by-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said Police Village by the Company; and in the event of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed, shall become the property of the said Corporation.

14. Upon the expiration of the said period of thirty years the Company shall have the right, but nothing herein contained shall require it, to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This by-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this by-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Chairman and Secretary of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

17. The rights, powers, privileges and franchises granted to the Company by this by-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

18. This by-law shall not come into force or take effect until it has been assented to by the Municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

19. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of Bronte within ten months from the date of the passing hereof.

Passed this 23rd day of January, 1929.

(SEAL)

M. E. SKELTON, *Chairman.*

A. PATTERSON, *Secretary.*

## CHAPTER 136

An Act respecting the Central Canada  
Exhibition Association*Assented to 28th March, 1929.*

## Preamble.

**W**HEREAS, the Central Canada Exhibition Association has, by its petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *Central Canada Exhibition Association Act, 1929.*

51 Vic., c. 79,  
s. 4, subss.  
2-5.  
(1919, c. 125,  
s. 1),  
repealed.

**2.** Subsections 2, 3, 4 and 5 of section 4 of the Act passed in the fifty-first year of the reign of Her late Majesty, Queen Victoria, chaptered 79, being *An Act to incorporate the Central Canada Exhibition Association*, as enacted by section 1 of chapter 125 of the Acts passed in the ninth year of the reign of His Majesty, King George V, are repealed and the following substituted therefor:

Limit of  
membership  
in certain  
sections.

(2) Exclusive of such persons as may from time to time be admitted to membership of the association pursuant to by-law passed by the board of directors, not more than seventy-five (75) persons shall be members of either section mentioned in clauses (b) or (c) of subsection 1 at any time.

Membership  
of city  
council  
section.

(3) The city council section shall consist of the mayor, the members of the board of control and the members of the council of the city of Ottawa.

Membership  
of manu-  
facturers'  
merchants',  
etc., section.

(4) The manufacturers', merchants, liberal arts and miscellaneous section shall consist of:

The president and two members of the Board of Trade of the city of Ottawa, the president and nine members of the Retail Merchants' Association of

Canada,



Canada, Ottawa branch, the president and eight members of the Service Grocers' Association of the city of Ottawa. Two members of each of the following bodies: The Wholesale Grocers' Association of the city of Ottawa, the Commercial Travellers' Association of the city of Ottawa, the Allied Trades and Labour Association of Ottawa, the Ottawa Automotive Association, the Canadian Club of Ottawa, the Rotary Club, the Kiwanis Club, the Gyro Club, the Lions Club, the Hundred Club, the Canadian Manufacturers' Association, the chairman and one other member of the Public School Board. One member of each of the following bodies: The Ottawa Roman Catholic School Board, the Collegiate School Board, the Canadian Légion, Ottawa Branch Number 16, the Civil Service Association of Ottawa, the Canadian Lumbermen's Association of Ottawa, the Central Council of Municipal Associations of Ottawa, the Ottawa Property Holders' Association, Eastern Ontario Weekly Press Association, Ottawa Hunt and Golf Club, Ottawa Electric Railway Company, the Federal District Commission, one representative appointed by the proprietors of *The Ottawa Journal*, *The Citizen* and *Le Droit* Newspapers, and representatives of such other organizations as may from time to time be admitted by a vote of the directors provided the total number of representative members in this section shall not exceed seventy-five (75), together with all past presidents of the association, and such other persons resident in the city of Ottawa, as may from time to time be admitted to membership of the association on a vote of the directors and on payment of the annual membership fee, provided that no other officer or servant of the Government of Canada, or of the Government of Ontario, holding office in or attached to, the Department of Agriculture of such Government respectively shall be a member of such section.

- (5) The agricultural section shall consist of the following: Membership of Agricultural section.

The Minister and Deputy Minister of Agriculture of the Province of Ontario, the Minister and Deputy Minister of Agriculture of the Province of Quebec, the Director of Live Stock Branch of the Ontario Department of Agriculture, the Superintendent of Agricultural and Horticultural Societies of the Province of Ontario, the Director of the Kemptville Agricultural School, the Deputy Minister of Agriculture for Canada, the Director of Dominion

Experimental



Experimental Farms, the Dominion Live Stock Commissioner, the Dominion Animal Husbandman, the Dominion Poultry Husbandman, the Dominion Veterinary Director General, the Dominion Dairy Commissioner, the Dominion Seed Commissioner, the Dominion Fruit Commissioner, the Superintendent of the Central Experimental Farm, the Dominion Horticulturist, the Greenhouse Specialist of the Dominion Experimental Farm. Two representatives from each of the following bodies: The Canadian National Live Stock Records, the Dominion Shorthorn Breeders' Association, the Holstein-Friesian Association of Canada, the Canadian Ayrshire Breeders' Association, the Canadian Jersey Cattle Club, the Clydesdale Horse Association, Ontario Swine Breeders' Association, Ontario Sheep Breeders' Association, Ontario Cattle Breeders' Association, Ontario Horse Breeders' Association, Ottawa Horticultural Society, Eastern Ontario Poultry Association, Ottawa Pigeon and Pet Stock Association, Ottawa Kennel Club. One representative from each of the following: Canadian Hereford Breeders' Association, Canadian Swine Breeders' Association, Canadian Sheep Breeders' Association, Canadian National Poultry Record Association, Ottawa Poultry Association, Ontario Yorkshire Breeders' Association, Ottawa Riding Club, Canadian Standard Bred Horse Breeders' Association, Canadian Pony Society, Canadian Percheron Horse Breeders' Association, Canadian Thoroughbred Horse Society, Canadian Kennel Club, Ottawa Branch Vegetable Growers' Association, Ontario Vegetable Growers' Association, Central Canada Veterinary Association, Eastern Ontario Dairymen's Association, Eastern Ontario Ayrshire Breeders' Association, Eastern Ontario Jersey Breeders' Association, such representatives to be named and appointed by the said several bodies at their annual meeting for the election of officers; and such number of representatives of other bodies or such other persons as the Board of Directors may see fit to assign to this section provided that in no case shall the number of members attached to this section exceed 75.

51 Vict. 79,  
s. 9, subs. 1:  
(1919, c.  
125, s. 2),  
repealed.

**3.** Subsection 1 of section 9 of the Act incorporating the Central Canada Exhibition Association, as enacted by section 2 of chapter 125 of the Acts passed in the ninth year of the reign of His Majesty King George V, is repealed and the following substituted therefor:

Constitution  
of  
Board of  
Directors.

9.—(1) The Board of Directors shall consist of:

The

The mayor and seven other members of the council of the city of Ottawa, to be named and appointed by such council not later than the third Wednesday of January in each year, and the sections set out in the clauses lettered (*b*) and (*c*) in subsection 1 of section 4 of this Act shall each elect in each year at the annual meeting of the association, eight (8) directors by a plurality of votes of the members of such section present in person and voting, and all past presidents of the association and the warden of the county of Carleton for the time being shall also be directors of the association.

## CHAPTER 137

## An Act respecting the War Memorial Fund of the Imperial Order Daughters of the Empire.

*Assented to 28th March, 1929.*

Preamble.

**W**HEREAS the Imperial Order Daughters of the Empire has by its petition represented that it was incorporated by Chapter 78 of the Acts of the Parliament of the Dominion of Canada passed in the year 1917; that the National Chapter of the Order is, under the present charter and constitution of the Order, the supreme head and executive power thereof; that at a meeting of the said National Chapter held in the year 1919 the said National Chapter by resolution authorized and directed that the Order raise a fund of at least \$500,000 for the purpose of a memorial to the Canadian men and women who died in the defence of the British Empire during the Great War, such fund to be known as the War Memorial Fund and to be expended upon certain specified objects; that the said Order has raised for the said War Memorial Fund the sum of \$463,097.55 during the year 1919 and subsequent years down to the present time; and that doubts have arisen as to the manner in which the said fund was to be administered and expended by the said National Chapter and as to the power of the said National Chapter to allocate portions of the said fund to certain of the said objects to the exclusion of other or others of the said objects; and whereas the said Order has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**Interpreta-  
tion.

- (a) "Order" shall mean the Imperial Order Daughters of the Empire.
- (b) "National Chapter" shall mean the National Chapter of Canada of the Imperial Order Daughters of the Empire, as provided in the incorporating Act and constitution of the said Order.

2. All expenditures from the said War Memorial Fund heretofore made by the National Chapter or by any officer or member of the Order under or by virtue of any resolution or direction of the National Chapter, and whether such expenditures were made out of capital or income, are hereby sanctioned and declared to be legal and valid.

Validation  
of previous  
expendi-  
tures.

3. The National Chapter and the officers and members of the Order acting in accordance with resolutions heretofore passed by the National Chapter or directions heretofore given by the National Chapter are hereby authorized and empowered to continue to administer the War Memorial Fund and to make expenditures therefrom in accordance with the said resolutions passed by and the said directions given by the National Chapter for the administration and expenditure of the War Memorial Fund until the annual meeting of the National Chapter to be held during the year 1929, notwithstanding anything contained in the resolution passed by the National Chapter at its annual meeting held in the year 1919 which authorized the raising of the War Memorial Fund and expressed the manner in which such fund should be expended.

Authoriza-  
tion of  
certain ex-  
penditures.

4. The War Memorial Fund shall be administered as the National Chapter shall determine and direct by a committee constituted by the National Chapter and known as the War Memorial Committee, such committee to consist of such officers and members of the Order as the National Chapter may decide but nothing in this section shall interfere with the right of any member of the War Memorial Committee appointed to be a life member thereof from continuing as a member of that committee in accordance with such appointment and nothing contained in this section shall interfere with any existing right of provincial officers to be members of the said War Memorial Committee.

Administra-  
tion and  
War  
Memorial  
Committee.

5. The unexpended balance of the War Memorial Fund, whether capital or income, and any further moneys added to the said fund shall be appropriated, used and expended by the National Chapter to promote the educational work of the Order as a memorial to the Canadian men and women who have died in the defence of the British Empire during the Great War, but for greater certainty such fund shall be allocated to and used and expended upon all or any of the following objects:

Purposes for  
which War  
Memorial  
Fund may be  
used.

- (a) To found bursaries in Canadian universities of sufficient value to provide a university education or its recognized equivalent available for and limited to such sons and daughters, residing in Canada, as were born on or prior to the 31st day of December, 1919, of

- (i) the soldiers or sailors or men of the air force killed in action or who died prior to the declaration of peace from wounds or from any other cause directly attributable to the war;
  - (ii) the permanently disabled soldiers or sailors or men of the air force or those of them who were so seriously disabled by reason of injuries received in military, naval or air force service that they are unable to provide a university education or its recognized equivalent for such sons and daughters;
  - (iii) the soldiers or sailors or men of the air force who by reason of injuries received in such service died after the declaration of peace while any such of their sons and daughters were of or under school age.
- (b) To found post-graduate scholarships in history or economics or constitutional government or any subject vital to the interests of the British Empire in such university or universities as may be approved by the War Memorial Committee and which shall be located in Great Britain or any part of the British Empire.
  - (c) To found a travelling fellowship to be competed for by such scholars who have held bursaries under clause (a) or scholarships under clause (b) who may be designated as eligible by the National Chapter;
  - (d) To found a lecture foundation in Canada for the teaching of the history of the British Empire;
  - (e) To place in schools selected by the Department of Education of any province in Canada, some of the reproductions of a series of Canadian War Memorial pictures painted for the Dominion Government by leading artists of the Empire to commemorate Canada's part in the Great War;
  - (f) To promote courses of illustrated lectures for the children of Canada on the history and geography of the Empire.
  - (g) To place a Daughters of the Empire library in such schools in Canada as may be designated by the War Memorial Committee, which have in attendance children of foreign-born parents.

6. The National Chapter shall have power from time to time to allocate the funds constituting the War Memorial Fund in such manner and in such proportions, between the different objects enumerated in the next preceding section, as it shall see fit and if deemed advisable in such manner as to exclude any of such objects; and the allocation of any particular part of the said War Memorial Fund to any of such objects shall not prevent the National Chapter from devoting any part of the fund so allocated and remaining unexpended to any other of such objects, notwithstanding such previous exclusion thereof.

Further  
power to  
allocate  
funds.

7. Notwithstanding any Act of this Legislature, the Order and its National Chapter shall not be obliged to account to any person for or in respect of the receipts or expenditures in connection with the War Memorial Fund unless required to do so by the direction of the Attorney General, such direction to be made on such grounds as to the Attorney General may seem sufficient.

Accounting.

8.—(1) This Act, excepting sections 4, 5 and 6, shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

(2) Sections 4, 5 and 6 shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.



# INDEX TO ACTS OF THE PROVINCE OF ONTARIO

Third Session, Seventeenth Legislature,  
19 George V, 1929

## A

	PAGE
ACTON, VILLAGE OF	
by-law No. 616, borrowing \$15,000 for erection of skating and curling rink, confirmed.....	249-251
ADELAIDE, TOWNSHIP OF	
by-law No. 338 (Power Commission), confirmed.....	57
ADMINISTRATION OF JUSTICE EXPENSES	
CROWN ATTORNEYS' FEES	
additional allowance for taking prosecution.....	104
per diem allowance.....	104, 105
FEES	
power to amend or repeal items in tariff.....	104
SHERIFFS' FEES.....	105
ADOPTION	
consent of father of illegitimate child, when required.....	66
ALBERTA COAL SALES, PREVENTION OF FRAUD IN	
advertisement,—particulars to be stated in.....	196
penalty for false statements.....	196
ALNWICK, TOWNSHIP OF	
by-laws Nos. 504 and 512 (Power Commission), confirmed.....	57
AMABEL, TOWNSHIP OF	
by-law No. 356 (Power Commission), confirmed.....	57
ANDERDON, TOWNSHIP OF	
by-law No. 823, fixing assessment of Detroit River Canadian Bridge Company, confirmed.....	252-254
ANNUITIES	
time for payment of succession duty on.....	31
ARTIFICIAL GAS	
definition of "natural gas" to include mixture of, with natural gas....	45
public service works on highways,—extension of Act to pipe lines....	49
ASPHODEL, TOWNSHIP OF	
by-law No. 187 (Power Commission) confirmed.....	57
ASSEMBLY	
elections to, <i>see</i> ELECTIONS.....	13
ASSESSMENT	
APPEALS	
from court of revision, time for making.....	178



	PAGE
ASSESSMENT— <i>Continued</i>	
ARREARS OF TAXES	
percentages to be added.....	180
CANCELLATION OR REDUCTION OF TAXES	
applications to court of revision for.....	179
DISTRESS	
costs of, when to belong to corporation.....	179
EXEMPTION	
of income from investments by non-residents.....	177
INCOME	
assessment of, that for preceding year.....	177
exemption of, from money invested by non-residents.....	177
assessment of executors, trustees, etc., for.....	177
returns as to.....	178
OMISSIONS TO ASSESS	
notice to person taxed, and right of appeal.....	178
RETURNS	
as to income.....	178
TAXES	
application to court of revision for cancellation or reduction of.....	179
ATHENS, VILLAGE OF	
by-law No. 338 (Power Commission) confirmed.....	57
ATHLETIC COMMISSION	
tax on gate receipts at professional contests.....	66

## B

BANKS	
copies of entries in books of, as <i>prima facie</i> evidence.....	91
execution,—seizure and sale of shares in.....	94
BARBERRY SHRUB	
"barberry" what to include.....	229
council, action by.....	229
expenses,—how chargeable and collected.....	229
appeal as to.....	230
non-residents' lands,—notice to owners.....	229
offences and penalties.....	229
weed inspector,—duties of.....	229, 230
railway lands,—notice to company.....	230
BEACH PROTECTION	
proclamation prohibiting removal of sand, gravel, etc.....	223
penalty for contravention.....	223
BERTIE, TOWNSHIP OF	
S.S. No. 11 constituted high school district.....	240
annexation of part of, to Village of Fort Erie.....	306, 307
BILLS OF SALE AND CHATTEL MORTGAGES	
writ of execution,—how far binding.....	94
BLANSHARD, TOWNSHIP OF	
by-law No. 20 (Power Commission) confirmed.....	57
BOARDS OF EDUCATION	
municipal board in town or village,—how formed.....	239
BOILER INSPECTION	
Minister of Labour substituted for Minister of Public Works.....	228

INDEX	493
BOOK DEBTS	PAGE
execution,—seizure and sale of, under.....	95
BOXING CONTESTS	
tax on gate receipts for professional contests.....	66
BRANTFORD, CITY OF	
constitution of Board of Education.....	255, 256
tax sales and deeds confirmed.....	256
BRANTFORD, TOWNSHIP OF	
by-law No. 2030 (Power Commission) confirmed.....	57
BRIDGEPORT, POLICE VILLAGE OF	
by-law No. 222A (Power Commission) confirmed.....	57
BRIGHTON, TOWNSHIP OF	
by-law No. A8 (Power Commission) confirmed.....	57
BROCKVILLE LOAN AND SAVINGS CO.	
change of name, and power to carry on business as trust company....	437, 438
restriction on taking deposits, and increase of capital stock.....	438
BRONTE, POLICE VILLAGE OF	
confirmation of By-law No. 1 granting gas franchise to United Fuel Investments, Limited.....	461, 462
BURIAL PERMITS	
appointment of sub-registrars for issue of, in cities of 100,000 or over..	80
BURLINGTON BEACH COMMISSION	
confirmation of By-law No. 70 granting gas franchise to United Fuel Investments, Limited.....	461, 462

## C

CAMDEN EAST, TOWNSHIP OF	
by-law No. 592 (Power Commission) confirmed.....	57
CANADIAN MILITARY INSTITUTE	
vesting of certain lands in Toronto.....	450, 451
CANADIAN TERMINAL SYSTEM LIMITED	
confirmation of by-law and agreement with City of Fort William granting franchise to lay pipes on streets, etc.....	452
power of company to assign agreement.....	453
CAPREOL, TOWN OF	
by-law No. 159, borrowing \$18,000 for construction of municipal building, confirmed.....	258-260
CARIBOU	
protection of.....	231, 233
CAVAN, TOWNSHIP OF	
by-law No. 680 (Power Commission) confirmed.....	57
CENTRAL CANADA EXHIBITION ASSOCIATION	
amendments to Act <i>re</i> membership of various interests.....	482-484
constitution of board of directors.....	484, 485
CHATHAM, TOWNSHIP OF	
by-law No. 1244 (Power Commission) confirmed.....	57
CHEESE AND BUTTER MANUFACTURERS	
repeal of limitation as to shareholders' holdings.....	126
CHILDREN	
<i>See</i> ADOPTION.....	66
CHILDREN'S PROTECTION.....	67
CHILDREN OF UNMARRIED PARENTS.....	66
INFANTS.....	125
MOTHERS' ALLOWANCES.....	68

CHILDREN'S PROTECTION	PAGE
custody of child, powers of judge as to enforcing order for. ....	67
maintenance, enforcing order for. ....	67
immigration societies, duty of, as to children brought into Ontario. . .	67
CHILDREN OF UNMARRIED PARENTS	
consent of father to adoption, when required. ....	66
powers of junior or acting judge. ....	66
CHOSSES IN ACTION	
execution,—seizure and sale of, under. ....	95
CLERKS OF THE PEACE	
fees,—limitation as to commutation of. ....	98
COAL	
prevention of fraud in sale of Alberta coal. ....	196
COBOURG, TOWN OF	
confirmation of town's title to harbour lands and to sale of part to Dominion of Canada. ....	261
COMMISSIONER OF POLICE	
jurisdiction with respect to high constables and special constables. . . .	100-103
COMPANIES	
AUDITOR	
certificate and report of. ....	127
CAPITAL	
increase of,—certain provisions as to, repealed. ....	126
CHEESE AND BUTTER MANUFACTURERS	
repeal of limitation as to shareholders' holdings. ....	126
COMMENCEMENT OF BUSINESS	
filing declaration <i>nunc pro tunc</i> . ....	127
COMPANIES INFORMATION	
prospectus,—filing of. ....	131
returns,—verification of. ....	131
CO-OPERATIVE COLD STORAGE COMPANIES	
repeal of limitation as to shareholders' holdings. ....	126
DEATH	
transmission of shares on. ....	126
EXECUTION	
seizure and sale of shares in, under. ....	95
EXPROPRIATION	
control of exercise of powers of. ....	66
EXTRA PROVINCIAL CORPORATIONS	
reciprocal arrangements as to exemption from licensing. ....	137
FOREIGN PROBATE	
transmission of shares under. ....	126
FRAUD IN SALE OF SECURITIES	
<i>See</i> SECURITY FRAUDS PREVENTION	
INSURANCE COMPANIES	
letters patent not to be issued without approval of Superintendent. . . .	127
shares,—how capital stock may be divided into. ....	127
subscriptions,—return of, on failure to secure license. ....	128
directors,—by-laws for remuneration of. ....	128
security,—officers to give. ....	128
minimum in certain cases. ....	128
subsidiary corporation,—meaning of. ....	129
pension fund,—establishment of. ....	129-130
widows and dependants of employees,—making provision for. ....	130
by-laws defining rights and remedies of beneficiaries. ....	130

<b>COMPANIES—Continued</b>	<b>PAGE</b>
<b>PENSION FUND</b>	
establishment of, for employees of insurance companies.....	129
<b>PROSPECTUS</b>	
to be filed by every syndicate and every company other than private company.....	131
<b>SHAREHOLDERS</b>	
liability of, on surrender of charter.....	126
<b>SHARES</b>	
transmission of, on death of shareholder.....	126
<b>SUCCESSION DUTY</b>	
provision for securing payment of, on transmission of shares.....	126, 127
<b>COMPANIES INFORMATION</b>	
prospectus,—filing of.....	131
returns,—verification of.....	131
<b>CONDITIONAL SALES</b>	
contracts originating out of Ontario.....	65
repossession,—tariff of costs of bailiff.....	93
<b>CONSTABLES</b>	
high constable,—appointment and remuneration.....	100
tenure of office.....	100
oath.....	101
returns by, to be made to Commissioner of Police.....	101
suspension by county judge or Commissioner of Police.....	101, 102
dismissal and restoration to office.....	102
provisions as to, not to apply where there is county board of police commissioners.....	102
special constables,—suspension or termination of appointment.....	102
powers of county judge and Commissioner of Police as to.....	103
<b>CONTINUATION SCHOOLS</b>	
county grant to.....	237
permanent improvements,—extension of meaning of.....	237
<b>CO-OPERATIVE COLD STORAGE COMPANIES</b>	
repeal of limitation as to shareholders' holdings.....	126
<b>CORN BORER</b>	
penalty for disobedience to Act.....	68
<b>CORNWALL, TOWN OF</b>	
by-law No. 15 for 1925, borrowing \$80,095 for drainage work, confirmed	262, 263
<b>CORNWALL, TOWNSHIP OF</b>	
by-law No. 1150 and agreement with Ottawa & New York and New York Central Railway Companies fixing assessment of bridge, confirmed.....	264-267
<b>COSTS OF DISTRESS</b>	
conditional sales,—tariff of costs for repossession.....	93
<b>COUNTY JUDGES</b>	
allowances to certain junior judges.....	64
senior judge of York.....	64
<b>COUNTY OR DISTRICT COURT CLERK</b>	
percentage on net income payable to Province.....	29
minimum salary of.....	30
<b>CROWN ATTORNEYS</b>	
counsel fee,—crediting, when collected from defendant.....	98, 99
fees,—on appeal from decision of magistrate.....	98
commutation,—limitation as to amount.....	98
readjustment of.....	98
alterations in tariff of.....	104, 105

CROWN TIMBER	PAGE
suspension of manufacturing condition as to poplar.....	63
lien for dues, etc.—priority of.....	63
notice of.....	64
pulpwood.— <i>See</i> PULPWOOD CONSERVATION.....	34
<i>See</i> PROVINCIAL FORESTS.....	39

CRYSTAL BEACH, VILLAGE OF	
included in high school district.....	240

## D

DEATHS	
sub-registrars in cities of 100,000 or over for registration of.....	80

### DEPENDANTS' RELIEF

ALLOWANCE	
when judge may direct payment of.....	120, 121
form of.....	121
who may apply for.....	121
limitation as to amount of.....	123

APPEAL	
to lie to Appellate Division.....	124

APPLICANT	
who may be.....	120

APPLICATION FOR ALLOWANCE	
procedure upon.....	121
when to be made.....	121
removal into Supreme Court.....	121
matters to be considered upon.....	122

COSTS	
direction as to.....	123

DEPENDANT	
meaning of.....	120
to rank as creditor for services rendered testator.....	123

EVIDENCE	
how to be taken and recorded.....	121

OFFICIAL GUARDIAN	
application by, on behalf of infant dependant.....	121

ONTARIO HOSPITAL, INMATE OF	
notice of application for probate to be given to Public Trustee where application made on behalf of.....	122

ORDER FOR ALLOWANCE	
notice to parties concerned, before making.....	122
Public Trustee in case of inmate of Ontario Hospital.....	122

PUBLIC TRUSTEE	
application for allowance may be made by.....	121
notice of application for probate to be given to, where application on behalf of inmate of Ontario Hospital.....	122
right to appear and be heard.....	122

SUPREME COURT	
transfer of proceedings into.....	121

SURROGATE JUDGE	
may hear application for allowance.....	121

WIDOW	
when disqualified from receiving allowance.....	123

DEPUTY CLERK OF THE CROWN	PAGE
percentage on net income payable to Province.....	29
minimum salary of.....	30
DEPUTY POLICE MAGISTRATE	
authority to confer exclusive or other jurisdiction upon.....	96
DEPUTY REGISTRAR	
percentage on net income payable to Province.....	29
minimum salary of.....	30
DETROIT RIVER CANADIAN BRIDGE CO.	
by-law No. 823 of Township of Anderdon, fixing assessment, confirmed	252-254
DEVOLUTION OF ESTATES	
distribution of estate where widow and one child survive.....	110
DISTRESS	
conditional sales,—tariff of costs in case of re-possession.....	93
DIVISION COURTS	
fees,—amounts paid in for, to be taken into account in settling charges payable towards cost of administration of justice.....	87
judgment summons,—issue of, where two or more courts in same city.....	87
DOG TAX AND SHEEP PROTECTION	
damages,—power of township in unorganized territory as to requiring proof.....	224
dogs,—licensing and registration of, in certain townships.....	224
DRAINAGE	
provincial aid to,—not applicable to sewers, etc.....	70
contributions received from initiating municipality to be included in estimating grant.....	70
tile drainage.—See TILE DRAINAGE.....	71

## E

EASTVIEW, TOWN OF	
administration of Roman Catholic Separate Schools in Ward 6 by Ottawa Board.....	434-436
levy and collection of rates and borrowing powers of Ottawa Board...	435
limitation of liability of Ottawa Board.....	436
duration of Act.....	436
EAST YORK, TOWNSHIP OF	
by-law No. 1508 (excess cost of Leaside Viaduct) confirmed.....	268
agreement with Town of Leaside and T.T.C. re bus service, confirmed.....	268
election of public school trustees by ballot.....	269, 270
EDUCATION	
See SCHOOL LAW AMENDMENTS.....	236
ELECTIONS	
ADVANCE POLL	
form of notice of.....	17, 22
BALLOT PAPER	
weight of.....	14
secret marking.....	14
security to be given by manufacturer against improper use.....	14
King's Printer to furnish to Clerk of the Crown in Chancery and take receipt.....	14, 15
Clerk of Crown in Chancery to send out in sealed packages.....	15
printer to give receipt for.....	15
custody of.....	16
BALLOTS	
returning officer to see to printing of.....	15
form of.....	15
numbering.....	15
uniformity of.....	15

ELECTIONS— <i>Continued</i>	PAGE
BALLOTS— <i>Continued</i>	
printer's name to be on back.....	16
affidavit of printer.....	16
returning officer to keep record of numbers on, delivered.....	16
deputy returning officer to count and give receipt for.....	16
FORMS	
addition to schedule.....	20-24
ILLEGAL PRACTICES	
in connection with voting by proxy.....	19
MARINERS	
who to be deemed.....	13
occasional absence of.....	13
voting by proxy.....	17-19
NOMINATION PAPER	
rejection of, to be approved by Chief Election Officer.....	14
POLITICAL CONTRIBUTIONS	
what prohibited.....	26
penalty for.....	26
POLLING LIST	
direction as to preparation of.....	16
POLLING PLACES	
number and location of.....	14
cost of unnecessary provision.....	14
PROXY	
right of mariners to vote by.....	17-19
RETURNS	
boxes to be securely locked.....	19
REVISING OFFICER	
duty with respect to mariners voting by proxy.....	18
UNUSED MATERIAL	
return of, to Clerk of the Crown in Chancery.....	19
ERAMOSA, TOWNSHIP OF	
by-law No. 4-1928 (Power Commission), confirmed.....	57
ERNESTTOWN, TOWNSHIP OF	
by-law No. 10 (Power Commission) confirmed.....	57
ESSEX BORDER UTILITIES	
APPEALS	
to Municipal Board as to apportionment of cost of works.....	288
COMMISSION	
constitution and term of office of members.....	279, 280
representation of area of township brought in.....	281
vacancies, chairman, quorum.....	282
appointment of officers and execution of contracts.....	282
books of account and records to be kept.....	283
members of, to serve without salary.....	283
member may reside in any municipality under jurisdiction of.....	283
officers of, to give security.....	283
non-attendance of commissioner, when to constitute resignation.....	283
representative of municipality disapproving of works not to vote.....	291
general powers of.....	302, 303
COST OF WORKS	
provision for re-apportionment between corporations.....	291
appeal to Municipal Board as to.....	291

ESSEX BORDER UTILITIES—*Continued*

PAGE

## DEBENTURES

issue of, by Commission.....	285
application of <i>Municipal Act</i> .....	286
levy of special rate by municipalities to meet.....	286
issue of, for connections with trunk sewers.....	286, 287
to be a first charge on plant, works and land.....	287
assent of electors not required in Town of Ojibway.....	287

## DRAINAGE WORKS

construction of, as ancillary to trunk sewers.....	293
--	-----

## ELECTORS

submission of questions <i>re</i> works.....	288-291
--	---------

## ENGINEER

employment of, by Commission.....	287
apportionment of cost of work by.....	287
appeal to Municipal Board from report of.....	288
cost of preliminary survey, report and estimates, how borne.....	290
report as to apportionment of annual cost of operating and maintaining works.....	292

## FINANCES

contribution by municipalities according to representatives on Commission.....	283
liability in case of annexations or new incorporations.....	284
applications for money by Commission to municipalities.....	284
approval of electors for construction of works.....	284
recovery of money by Commission from municipalities.....	284
application of money advanced for general purposes by municipality.....	284, 285
payment by municipality out of current revenue for general purposes of Commission.....	285
special rates in Townships of Sandwich East and West.....	285
temporary borrowings and issue of debentures by Commission.....	285
application of provisions of <i>Municipal Act</i> to money by-laws.....	286
temporary borrowings by Commission for general purposes and special outlays.....	286
assent of electors not required in Town of Ojibway.....	287
proportion of cost of works to be borne by municipalities.....	287

## GRAND MARAIS BASIN

construction of sewer to drain.....	294, 295
-------------------------------------	----------

## HOSPITALS

power of Commission to establish isolation, emergency and public....	299
--	-----

INTERPRETATIONS.....	277-279
----------------------	---------

## LOCAL BOARD OF HEALTH

power to bring municipality under jurisdiction of.....	276, 298
constitution and powers of.....	297, 298
certain boards discontinued.....	297
payment of expenses of.....	298
installation of sanitary conveniences by.....	298
power of Commission to bring municipality under jurisdiction of.....	298

## MAINTENANCE AND OPERATION

report by engineer as to apportionment of cost.....	292
---	-----

## MEDICAL OFFICER OF HEALTH

appointment by Commission.....	297
--------------------------------	-----

## METROPOLITAN PARK

power of Commission to establish, and apportionment of cost of.....	300
---	-----

## MUNICIPAL BOARD

appeals to, as to apportionment of cost of works.....	288
application by Commission to require submission of question.....	289
appeal to, as to re-apportionment of cost of works.....	291
of cost of maintenance and operation.....	292
as to apportionment of cost of maintenance and operation..	292



ESSEX BORDER UTILITIES— <i>Continued</i>		PAGE
OFFICERS		
appointment of, by Commission.....		282
to give security.....		283
OJIBWAY, TOWN OF		
assent of electors not required in.....		287
PUBLIC UTILITIES ACT		
application to Commission.....		283
QUESTIONS		
submission of, to electors.....	288-291	
form of.....		289
power of Commission to apply to Municipal Board for submission.....		289
submission of certain, only on day of annual municipal election.....		289
re-submission of, in case of disapproval by any corporation.....		290
construction of works when approved by three municipalities.....		291
SANDWICH EAST, TOWNSHIP OF		
provisions for bringing part of, under jurisdiction of Commission.....		281
special rate on rateable property in area for purposes of Commission..		285
SANDWICH SOUTH, TOWNSHIP OF		
area of, brought under jurisdiction of Commission.....	275, 276, 281	
SANDWICH WEST, TOWNSHIP OF		
provisions for bringing part of, under jurisdiction of Commission.....		281
special rate on rateable property in area for purposes of Commission..		285
SANITARY CONVENIENCES		
installation of, by local board of health.....		298
SANITARY INSPECTORS		
appointment of, by Commission.....		298
SEWAGE		
power of municipalities to construct works for disposal of, not affected		289
power of Commission to construct pumping and disposal plants.....		293
SEWERS		
construction of, to drain Grand Marais basin.....	294, 295	
TECUMSEH, TOWN OF		
suspension of provisions of Act <i>re</i> inclusion of.....		280
power to come under jurisdiction of Commission again.....		280
liability of, for obligations not affected.....		281
TOWN PLANNING		
power of Commission with respect to.....	301, 302	
procedure for obtaining approval of plans.....		301
power to widen and improve through streets and boulevards .....		302
conveyance by metes and bounds, prohibition as to.....		302
TRUNK SEWERS		
power of Commission to construct and operate.....	292, 293	
connection with sewers of municipalities.....	292, 293	
construction of drainage works as ancillary to.....		293
WATERWORKS		
power of municipalities to construct, not affected.....		289
power of Commission to construct, acquire and operate.....	296, 297	
application of <i>Public Utilities Act</i> .....		297
ETOBICOKE, TOWNSHIP OF		
agreement with Crown, T.T.C. <i>et al</i> , <i>re</i> widening of Lake Shore Road		
and operation of railway, etc.....		401
confirmation of agreement with Township of York <i>re</i> acquiring of land		
for Humber bridge.....		429
EUPHEMIA, TOWNSHIP OF		
by-laws Nos. 593 and 604 (Power Commission) confirmed.....		57

EVIDENCE	PAGE
BANK	
interpretation of.....	91
copies of entries in books of, as <i>prima facie</i> evidence.....	91
proof required as to entry in ordinary course of business.....	91
production of books to be required only under order.....	91
inspecting and copying entries in books and records.....	92
enforcement of order against.....	92

## EXECUTION

BANKS	
procedure on seizure of shares in.....	94
BILLS OF SALE AND CHATTEL MORTGAGES	
how far writ binding against goods.....	94
BOOK DEBTS AND CHOSSES IN ACTION	
seizure of.....	95
procedure on sale of.....	95
COMPANY	
procedure on seizure of shares in.....	94
seizure and sale of shares in case of private company.....	95

## EXPROPRIATION

control of exercise of powers by companies.....	66
---	----

## EXTRA PROVINCIAL CORPORATIONS

reciprocal arrangements as to exemption from licensing.....	137
---	-----

## F

## FACTORIES, SHOPS AND OFFICE BUILDINGS

ADOLESCENTS	
employment of.....	200
APPLICATION OF ACT TO FACTORIES.....	200
CHILDREN	
under fourteen years of age not to be employed in factories.....	200
CHINESE	
employment of white women by.....	200
ELEVATORS	
not to be operated by persons under eighteen years of age.....	201
HALF-HOLIDAY	
Saturday or other day by arrangement.....	201
HOURS OF EMPLOYMENT	
offences in relation to.....	201
LAUNDRIES	
employment of white women by Chinese in.....	200
MINIMUM WAGE BOARD	
right to establish rate of wage for illegal overtime.....	201
MINORS	
when not to be employed in operating elevators.....	201
OVERTIME	
payment for, when employment illegal.....	201
PAINT SHOPS	
to be deemed factories.....	201
PENALTY	
application of.....	201
minimum, what to be.....	201

FACTORIES, SHOPS AND OFFICE BUILDINGS— <i>Continued</i>	PAGE
RESTAURANTS	
employment of white women by Chinese.....	200
WOMEN	
employment of white, by Chinese.....	200
payment for illegal overtime.....	201
FINCH, TOWNSHIP OF	
by-law No. 8 (Power Commission) confirmed.....	57
FINCH, VILLAGE OF	
by-law No. 54-1927 (Power Commission) confirmed.....	57
FIRES IN HOTELS	
<i>See</i> HOTELS.....	210
FIRE MARSHAL	
ASSISTANTS TO FIRE MARSHAL	
who to be deemed.....	221
BUILDINGS	
penalty for disobedience to orders as to.....	221
action in absence of owner of.....	222
FIRE MENACE	
removal of, in absence of owner of material.....	222
penalty for disobedience to orders as to.....	221
PENALTIES	
disobedience to orders for structural alterations.....	221
FOREST HILL, VILLAGE OF	
annexation of certain lands in City of Toronto to .....	404
FORESTS	
<i>See</i> PROVINCIAL FORESTS.....	39
FORT ERIE, VILLAGE OF	
annexation of part of Township of Bertie to.....	306, 307
FORT WILLIAM, CITY OF	
confirmation of by-law and agreement with Canadian Terminal Sys- tem, Limited, granting franchise to lay pipes on streets, etc.....	452
FOWL TRANSPORTATION	
BOOK	
what to be kept by permit holder.....	226
BREEDER	
Act not to apply to.....	225
CONSTABLE	
right to inspect and search.....	226
DONEE	
when Act not to apply to.....	225
FOWL	
meaning of.....	225
INSPECTION	
of premises and vehicle of permit holder.....	226
ONUS OF PROOF	
on person charged in certain cases.....	225
PENALTIES	
for contraventions of Act.....	226
recovery of.....	227

FOWL TRANSPORTATION—*Continued*

	PAGE
PERMIT	
requiring, for transportation on highways.....	225
issue of by warden.....	225
fee for.....	226
contents and record of.....	226
holder to carry it with him.....	226
PRODUCER	
Act not to apply to.....	225
PUBLIC COMMERCIAL VEHICLES	
Act not to apply to.....	225
PURCHASER	
when Act not to apply to.....	225
REPEAL	
section 425 of <i>Municipal Act</i> .....	227
FRAUD IN THE SALE OF SECURITIES	
<i>See</i> SECURITY FRAUDS PREVENTION.....	132
FREDERICKSBURG, TOWNSHIP OF	
by-law No. 7 (Power Commission) confirmed.....	57

G

GAINSBORO, TOWNSHIP OF	
by-laws Nos. 481, 482 and 483 (Power Commission) confirmed.....	57
GALT, CITY OF	
composition of council.....	308, 309
GAME AND FISHERIES	
AEROPLANES	
right of officers to inspect.....	233
right to search without warrant.....	233
BADGES	
how to be worn by licensees.....	232
CARIBOU	
protection of.....	231, 232
DEER	
close season for.....	231
GUN LICENSE	
in what counties required.....	231
LICENSE	
to be carried by licensee.....	232
MOOSE	
close season for.....	231
MUSKRAT	
close season for.....	231
POISON	
use of, may be authorized to kill wolves.....	232
RABBIT HUNTS	
dispensing with gun license for.....	232

GAME AND FISHERIES— <i>Continued</i>	PAGE
SNARES	
unlawful in certain counties.....	232
WOLVES	
use of poison.....	232
GARAFRAXA WEST, TOWNSHIP OF	
by-law No. 11 (Power Commission) confirmed.....	57
GAS	
natural gas conservation,—definition of "natural gas".....	45
public service works on highways,—extension of Act to pipe lines.....	49
GASOLINE TAX	
increase of, to five cents per gallon.....	48
GEORGETOWN, TOWN OF	
by-law No. 72-A and agreement with Smith & Stone, Limited, <i>re</i> fixed assessment, confirmed.....	310-314
not to apply to school purposes or local improvements, etc.....	311
GODERICH, TOWNSHIP OF	
by-law No. 9-1928 (Power Commission) confirmed.....	57
GOSFIELD NORTH, TOWNSHIP OF	
by-law No. 595 (Power Commission) confirmed.....	57, 58
Sandwich, Windsor and Amherstburg Railway,—amendment of agreement as to.....	158, 159
GRANITE	
regulations for prevention of silicosis among workers on.....	198
GREY, TOWNSHIP OF	
by-law No. 17-1928 (Power Commission) confirmed.....	58
GUELPH, CITY OF	
composition of council.....	315
board of light and heat commissioners.....	316
clerk <i>ex-officio</i> member of committees of council.....	316
power to borrow \$178,000 for housing debt.....	317
GWILLIMBURY WEST, TOWNSHIP OF	
by-law No. 615 (Power Commission) confirmed.....	58

## H

HAMILTON, CITY OF	
power to borrow \$1,073,400 for certain purposes without assent of electors.....	318
agreement with International Airways, Limited, confirmed.....	319
agreement with C.N.R. <i>re</i> construction of certain bridges in connection with new station, confirmed.....	319
HIGH CONSTABLES	
<i>See</i> CONSTABLES.....	100
HIGH SCHOOLS	
Bertie, Township of,—S.S. No. 11 to constitute high school district...	240
county pupils,—right to attend after notice.....	239
non-resident pupils,—agreement for payment of fees of.....	239
permanent improvements,—extension of meaning of.....	237, 238
teachers and officers of board,—life insurance for.....	238
transportation of pupils,—arrangements as to.....	238
trustees,—appointment of.....	238
HIGHWAY IMPROVEMENT	
COUNTY RATE	
limit of amount of.....	46

HIGHWAY IMPROVEMENT— <i>Continued</i>	PAGE
GASOLINE TAX increase of, to five cents per gallon.....	48
MAINTENANCE power of Department on default of municipal corporation.....	47
OBSTRUCTIONS removal of, when endangering traffic.....	47
PROVINCIAL HIGHWAYS expenditure,—annual statement of, to municipality.....	46
compensation for damages,—limitation of claims for.....	47
REPAIR power of Department on default of municipal corporation.....	47
SINKING FUND MONIES deposited with Provincial Treasurer,—allowing for, in fixing limit of county rate.....	46
STREETS IN TOWNS AND VILLAGES contribution by municipality to cost of maintenance and repair.....	46, 47
WIDENING excess cost of, to be allowed for in fixing subsidy.....	46
HIGHWAYS	
HIGHWAY IMPROVEMENT <i>See</i> HIGHWAY IMPROVEMENT.....	46
PUBLIC SERVICE WORKS ON "appliances and works,"—meaning of.....	49
"operating corporation,"—meaning of.....	49
HIGHWAY TRAFFIC	
COMMERCIAL VEHICLES regulations as to temporary exemption of those of non-residents.....	186
LENGTH OF VEHICLE limitations as to.....	186
LOAD extension of period for limiting weight.....	188
PENALTIES liability of owner and driver for.....	188
application of.....	189
PERMITS for moving of heavy vehicles.....	188
REGISTRATION regulations for temporary exemption of non-residents.....	186
REGULATIONS for temporary exemption from registration.....	186
SPEED rate of on highways in municipality bordering on city over 100,000....	186
of vehicle over eight tons.....	187
WEIGHT limit of gross, on Class "A" Highway.....	187
on Class "B" Highway.....	187, 188
HOSPITAL BOARDS authorized to take proceedings under <i>Parents Maintenance Act</i> .....	119
HOSPITALS FOR THE INSANE application for relief by modification of terms of will <i>See</i> DEPENDANTS' RELIEF.....	120

HOTELS	PAGE
ACCIDENTS BY FIRE	
prevention of.....	213-216
ACTION AGAINST HOTELKEEPER	
must be brought within one year.....	218
BALCONIES	
leading to fire escapes.....	213
doors and windows at, to open outwards.....	214
BEVERAGE PERMIT	
not to be granted to hotelkeeper until fire regulations complied with ..	215
BOARDING-HOUSE KEEPER	
rights and liabilities of.....	216-218
EXITS	
outside stairways and ladders.....	213
indication of.....	214
doors and windows to open outwards.....	214
FALSE REGISTRATION	
penalty for.....	212
as man and wife,—penalty for.....	212
FIRE	
limitation of liability of hotelkeeper for damage by.....	218
FIRE ESCAPES	
notices as to.....	214
outside stairway or ladder,—duty as to maintaining.....	214
FIRE, PREVENTION OF ACCIDENTS BY	
outside stairways and ladders,—duty as to maintenance of.....	213
access to.....	213
balconies leading to fire escapes.....	213
doors and windows at, to open outwards .....	214
fire escapes,—notices as to.....	214
ropes.....	214
nightwatchman,—employment of.....	215
penalty for failure to comply with regulations as to.....	215
municipal by-laws as to, not affected.....	215
permits not to be issued until requirements complied with.....	215
onus of proof in case of accident.....	215
inspectors,—duty as to enforcing Act.....	215
HORSE AND VEHICLE	
hotelkeeper and livery stable keeper to have lien on.....	216
HOTEL	
what to be deemed.....	210, 216
declaring any part to be public place.....	192, 193
HOTELKEEPER	
meaning of.....	211
property of guests,—lien on.....	216
sale,—powers as to.....	216
notice of.....	216
proceeds of.....	216
lien on horse and conveyance.....	216, 217
motor vehicle.....	216, 217
wearing apparel of servant or labourer, limitation of.....	218
fire,—limitation of liability as to.....	218
liability to extend only to property deposited for safe keeping and in	
guest room.....	218
action against, must be brought within one year.....	218
INSPECTOR	
meaning of.....	211
duty as to enforcing regulations for prevention of fire.....	215

HOTELS—*Continued*

PAGE

## LICENSE

power to issue.....	211
term of.....	211
conditions upon which to be issued.....	211
rights of holder of.....	211, 212
penalty for operating without.....	212

## LICENSING AUTHORITY

meaning of.....	211
-----------------	-----

## LIVERY STABLE KEEPER

conveyance and horse,—to have lien on.....	216
sale of, powers as to.....	217
advertisement of intended.....	217
application of proceeds.....	217

## LODGING HOUSE KEEPER

rights and liabilities of.....	216-218
--------------------------------	---------

## MOTOR VEHICLE

hotelkeeper and livery stable keeper to have lien on.....	216
---	-----

## MUNICIPAL BY-LAWS AS TO FIRE PROTECTION

when not affected by regulations.....	215
---------------------------------------	-----

## MUNICIPAL LICENSE

when not required by hotelkeeper.....	211, 212
---------------------------------------	----------

## NIGHT WATCHMAN

employment of.....	215
--------------------	-----

## NOTICE

limitation of liability of hotelkeeper for loss or injury to goods.....	218
---	-----

## PENALTY

recovery of.....	210
hotelkeeper neglecting to keep register.....	212
false registration.....	212
as man and wife.....	212
for neglecting to comply with fire regulations.....	215

## PLANS OF HOTEL

must be approved before issue of license.....	211
---	-----

## REGISTRATION OF GUESTS

register,—duty as to keeping.....	212
penalty for neglect to keep.....	212
right to inspect.....	212
false registration,—penalty for.....	212
as man and wife,—penalty for.....	212

## REGULATIONS

powers as to making.....	219, 220
--------------------------	----------

## ROPES

when required to be placed in rooms as fire escapes.....	214
--	-----

## SERVANTS AND LABOURERS

limitation of lien on wearing apparel.....	218
--	-----

## STRUCTURAL ALTERATIONS

must be approved before issue of license.....	211
---	-----

## HOWICK, TOWNSHIP OF

by-law No. 12 (Power Commission) confirmed.....	58
---	----

## HULLETT, TOWNSHIP OF

by-laws Nos. 6-1928 and 11-1928 (Power Commission) confirmed.....	58
---	----

## HUSBAND

application for relief by modification of terms of will— <i>see</i> DEPENDANTS' RELIEF.....	120
--	-----



HYDRO-ELECTRIC POWER COMMISSION	PAGE
Electrical Development Company,—conditions of release of certain properties from trust mortgage . . . . .	61, 62
confirmation of sales of certain radial railway property by . . . . .	68, 69
See POWER COMMISSION . . . . .	50
HYDRO-ELECTRIC RAILWAYS	
Sandwich, Windsor and Amherstburg Railway,—Power Commission authorized to extend line, operate busses, etc. . . . .	150
See WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY . . . . .	152
I	
ILLEGITIMATE CHILDREN	
consent of father to adoption,—when required . . . . .	66
powers of junior or acting judge . . . . .	66
IMMIGRATION SOCIETIES	
duty of, as to children brought into Ontario . . . . .	67, 68
IMPERIAL ORDER DAUGHTERS OF THE EMPIRE	
War Memorial Fund, validation of expenditures and administration of Memorial Committee . . . . .	487
purposes for which funds may be used . . . . .	487, 488
allocation of funds by National Chapter between different objects . .	489
INCOME	
time for payment of succession duty on . . . . .	31
INDEPENDENT ORDER OF ODDFELLOWS, GRAND LODGE OF	
to be mutual benefit society . . . . .	442
merger of home association . . . . .	442
constitution, by-laws and officers . . . . .	442
jurisdiction, establishment of relief funds and home for orphans . . . .	443
exemption of property from taxation, endowment fund . . . . .	444
INDUSTRIAL SITES	
power to acquire land, and restrictions on sale . . . . .	173
INFANTS	
maintenance order,—enforcement of . . . . .	125
application for relief by modification of terms of will, See DEPENDANTS' RELIEF . . . . .	120
INNKEEPERS	
See HOTELS . . . . .	210
INSURANCE	
AGENT	
right of Superintendent to inspect books of . . . . .	138
signature or countersignature of, necessary on contracts of fire insurance	141
AUTOMOBILE INSURANCE	
red ink endorsement as to false statement or concealment . . . . .	143
deferred payment sales,—adjustment of loss . . . . .	143
contents of policy . . . . .	143
AVIATION INSURANCE	
meaning of . . . . .	138
licenses may be granted for . . . . .	140
BROKER	
right of Superintendent to inspect books of . . . . .	138
CARRYING ON BUSINESS	
what to mean . . . . .	139, 140
unauthorized insurance out of Ontario . . . . .	140
COMPANIES	
letters patent not to be issued without approval of Superintendent . . .	127
shares,—how capital stock may be divided . . . . .	127
subscriptions,—return of, on failure to secure license . . . . .	128
directors,—by-laws for remuneration of . . . . .	128

INSURANCE— <i>Continued</i>	PAGE
COMPANIES— <i>Continued</i>	
security,—officers to give.....	128
minimum in certain cases.....	128
subsidiary corporation,—meaning of.....	129
pension fund,—establishment of.....	129
widows and dependants of employees,—making provision for.....	130
by-laws defining rights and remedies of beneficiaries.....	130
CONTRACTS OF INSURANCE	
against liability to third person.....	141
automobile insurance.....	143
FEES	
recovery of, leave of Superintendent required.....	138
FIRE INSURANCE	
signature or countersignature of agent necessary.....	141
statutory conditions.....	142
limitation of liability clause.....	142
FOREIGN JURISDICTION	
carrying on business without authority within.....	140
INSURERS	
annual inspection.....	139
exception as to mutual benefit societies.....	139
carrying on business in Ontario,—what to be deemed.....	139, 140
carrying on or soliciting business in foreign jurisdiction without license.....	140
LIFE INSURANCE, CONTRACTS OF	
must be self-supporting.....	141
LIMITATION OF LIABILITY CLAUSE	
in contract of fire insurance.....	142
PENALTIES	
recovery of, leave of Superintendent required.....	138
SUCCESSION DUTY	
exception as to payment of, where insurance payable to preferred beneficiary.....	31
STANDARD OF VALUATION	
what tables to be used.....	140, 141
STATUTORY CONDITIONS	
in fire insurance contracts.....	142
SUPERINTENDENT	
leave of,—required for action for recovery of fees and penalties.....	138
powers of,—as to inspection of books of agents and brokers.....	138, 139
annual inspection of insurers by.....	139
TABLES OF MORTALITY	
what may be used.....	140, 141
INTERPROVINCIAL BOUNDARY	
declaration of consent as to boundary between Ontario and Manitoba.....	5
INVESTIGATION OF TITLES OF REAL ESTATE	
CLAIM	
meaning of.....	106
time within which to be asserted.....	107, 108
notice of registration of.....	108
registration not to validate expired.....	108
DOWER	
when wife need not register claim to inchoate right.....	107
registering of claim,—when time to begin to run.....	107
INSTRUMENT	
meaning of.....	106, 107

INVESTIGATION OF TITLES OF REAL ESTATE— <i>Continued</i>		PAGE
LAND		
what to include.....		107
LAND TITLES		
Act not to apply to registered land.....		109
OWNER		
meaning of.....		107
REGISTRAR		
fee for registering notice of claim.....		108
TITLE		
forty years sufficient.....		107
claims against,—registering notice of.....		108

## J

JUDGMENTS		
reciprocal enforcement of,— <i>See</i> RECIPROCAL ENFORCEMENT OF JUDGMENTS.....		83
JURORS		
EXEMPTION FROM SERVICE		
persons over sixty-five years of age.....		88
employed by certain electrical companies.....		88
FEES		
sheriffs' tariff amended.....		88, 89
SPECIAL JURIES		
provision for payment of.....		88
JUSTICE OF THE PEACE		
designation of particular justice of the peace to try any matter.....		96
authority to confer exclusive or other jurisdiction upon.....		96
JUVENILE COURT		
authority to confer exclusive or other jurisdiction upon judge or deputy judge.....		96
deputy judge,—appointment of.....		208
salaries and expenses.....		208, 209

## K

KENORA, TOWN OF		
power of Hospital to borrow and town to guarantee bonds.....		326, 327
change of name to be recorded in land titles office.....		327
KEPPEL, TOWNSHIP OF		
by-law No. 5-1928 (Power Commission) confirmed.....		58
KINGSTON, CITY OF		
by-law No 40-1928 (Power Commission) confirmed.....		57

## L

LABOUR AND WAGES		
master and servant,—enforcing magistrate's order for payment of wages.....		66
LAND TITLES		
investigation of titles,—provisions as to, not to apply to land registered in land titles office.....		109
local master,—when deputy local master may be appointed to vacancy.....		118

	PAGE
LEAMINGTON, TOWN OF	
by-law No. 1255 borrowing \$63,339 for drainage work in Township of Mersea, confirmed.....	328
LEASES	
short form of,—correction of clerical error in.....	66
LEASIDE, TOWN OF	
agreement with Township of East York and T.T.C. re bus service, confirmed.....	268
LEGISLATIVE ASSEMBLY	
elections to,—See ELECTIONS.....	13
LETTERS OF VERIFICATION	
to be admitted to probate for certain purposes.....	65
LINDSAY, TOWN OF	
by-law No. 1820 (Power Commission) confirmed.....	57
LIQUOR CONTROL	
APPEALS FROM CONVICTION	
practice on.....	195
BEER	
restrictions upon use of malt in manufacture.....	191
BOATS	
impounding and forfeiture of.....	194, 195
BREWERS	
restrictions upon sale of certain products.....	191
CONVICTION	
disqualification of premises on.....	190
CORRUPT DEALINGS	
penalty for offences as to.....	192
DELIVERY	
to and from Government stores.....	190
FORFEITURE OF LIQUOR	
on cancellation of permit.....	191
HOTELS	
declaring any part of, to be public place.....	192, 193
ILLEGAL CONSUMPTION	
penalty for.....	193, 194
LOCAL OPTION	
time for taking vote.....	192
MALT	
when required to be produced from Ontario barley.....	191
PENALTIES	
selling beer, etc., not manufactured from grain grown in Ontario.....	191
for offences in relation to permits.....	193
minimum and maximum.....	193
illegal consumption.....	194
purchases of more than \$50 in value, additional imprisonment.....	194
PERMIT	
forfeiture of liquor on cancellation of.....	191
one only to be issued to each person.....	192
furnishing liquor on illegal.....	192
giving false address prohibited.....	192
penalty for offences as to.....	192
PREMISES	
disqualification of,—on conviction.....	190

LIQUOR CONTROL— <i>Continued</i>	PAGE
PUBLIC PLACE	
declaring any part of hotel to be.....	192
VEHICLES	
impounding and forfeiture of.....	194, 195
VENDOR	
furnishing liquor on illegal permit.....	192
VESSELS	
impounding and forfeiture of.....	194, 195
LOAN	
authority to borrow \$40,000,000 for provincial purposes.....	4
LOAN AND TRUST CORPORATIONS	
ANNUAL GENERAL MEETING	
notice of.....	149
ANNUAL STATEMENT TO SHAREHOLDERS	
time for mailing.....	144, 149
DEPOSITS	
quarterly returns by trust companies as to.....	145
by minors.....	148
DEPOSITOR	
appointment of person to receive deposit in case of death of.....	149
GUARANTEED INVESTMENTS	
how money received by trust companies for, to be invested.....	144
INFANTS	
deposits by.....	148
INVESTMENTS	
by trust companies.....	145-147
limitation as to restriction.....	147
acceptance of bonds, debentures, etc., in payment of securities sold...	147
LOAN CORPORATIONS	
annual statement to shareholders,—time for mailing.....	144
MINORS	
deposits by.....	148
QUARTERLY RETURNS AS TO DEPOSITS	
by trust company.....	145
loan company.....	148
SHAREHOLDERS	
time for mailing annual statement to.....	144, 149
notice of annual meeting to be sent to.....	149
TRUST COMPANIES	
guaranteed investments,—how moneys received for, to be invested....	144
quarterly returns by, as to deposits.....	145
investments by.....	145-157
loans on securities.....	147
LOCAL IMPROVEMENTS	
BREAKWATERS	
construction of.....	174
CRIBS	
construction of.....	174
DYKES	
construction of.....	174
GROYNES	
construction of.....	174

LOCAL IMPROVEMENTS— <i>Continued</i>	PAGE
LIFETIME OF WORK	
of widening pavement.....	174
PAVEMENTS	
widening on petition only.....	174
assessment of lots on each side.....	174
lifetime of work.....	174
RETAINING WALLS	
construction of.....	174
SHORE PROTECTION WORKS	
construction of.....	174
LOCAL MASTER OF TITLES	
when deputy eligible for appointment as.....	118
LOCAL REGISTRAR OF SUPREME COURT	
percentage on net income payable to Province.....	29
minimum salary of.....	30
LONDON, CITY OF	
power to borrow for certain purposes without assent of electors.....	329, 330
resignation of alderman to qualify for candidate as mayor.....	331
interpretation of words "the unsuccessful candidate who received the highest number of votes at the next preceding election".....	331
power to borrow \$500,000 for erection of Western Fair Building, repealed.....	331
LUNACY	
mental incapacity,—proceedings for superseding order.....	90

## M

MAGISTRATES	
salaries of,—in certain townships.....	65
jurisdiction.....	65
designation of particular magistrate to try any matter.....	96
authority to confer exclusive or other jurisdiction upon.....	96
MAGISTRATES JURISDICTION	
authority to confer exclusive or other jurisdiction upon police magi- strate, deputy police magistrate, judge or deputy judge of a juvenile court.....	96
MANITOBA BOUNDARY	
declaration of consent as to.....	5
MASTER AND SERVANT	
enforcement of magistrate's order for payment of wages.....	65
MEAFORD, TOWN OF	
by-law No. 27 of 1928 borrowing \$400,000 and agreement with Henry Isaac Price <i>re</i> construction and purchase of grain elevator, con- firmed, subject to certain provisions.....	332-340
METCALFE, TOWNSHIP OF	
by-law No. 51 (Power Commission) confirmed.....	58
MIMICO, TOWN OF	
agreement with T.T.C. <i>re</i> operation of railway and widening of Lake Shore Road.....	401
the Crown, T.T.C. <i>et al</i> <i>re</i> widening of Lake Shore Road and operation of railway, etc.....	401
confirmation of certain by-laws <i>re</i> widening of Lake Shore Road and construction of pavement, etc.....	402
MINIMUM WAGE BOARD	
power to fix wages for illegal overtime.....	67

MINING	PAGE
ENGLISH LANGUAGE	
underground foreman must be able to speak.....	42
ETHYL MERCAPTAN	
use of, as warning underground.....	44
EXPLOSIVES	
approval of inspector as to arrangements for thawing.....	43
quantity which may be brought into thawing house.....	43
FANS	
to be above ground.....	43
exception as to "Booster".....	43
FIRE	
regulations for better security against.....	43
FIRE DOORS	
installation of, underground.....	43
FIRE-PROOF MATERIAL	
to be used in underground works.....	43
FOREMAN	
when employed underground must be able to give and receive orders in English.....	42
suspension of, for ignorance of regulations.....	42
FORFEITURE	
power of Minister as to granting relief from.....	42
GREASE	
how to be kept underground.....	43
INFLAMMABLE MATERIAL	
removal of, from underground works.....	43
INSPECTOR	
powers as to suspending mine officers.....	42
MINING CLAIMS	
working conditions.....	42
forfeiture,—power of Minister as to granting relief from.....	42
OIL	
how to be kept underground.....	43
REFUSE	
removal from underground works.....	43
SIGNS	
emergency exits to be shown by.....	44
THAWING HOUSES	
approval of, by Inspector of Mines.....	43
quantity of explosives which may be brought into.....	43
UNDERGROUND WORKS	
fire protection system for.....	43, 44
WORKING CONDITIONS	
time for compliance with.....	42
MONTAGUE, TOWNSHIP OF	
by-law No. 403 (Power Commission) confirmed.....	58
MORNINGTON, TOWNSHIP OF	
by-law No. 641 (Power Commission) confirmed.....	58
MORTGAGE TAX	
application of tax, repeal of provision as to.....	117
payment of tax by registrar or master to municipal treasurer.....	117
registration, proof by affidavit as to amount of original mortgage.....	117

MOTHERS' ALLOWANCES

extension to case of child legitimized by marriage of parents. ....	68
allowances in special cases. ....	68

MULMUR, TOWNSHIP OF

by-law No. 673 (Power Commission) confirmed. ....	58
---	----

MUNICIPAL FRANCHISES

"gas,"—meaning of. ....	182
application of Act, exception as to certain by-laws. ....	182, 183

MUNICIPAL INSTITUTIONS

AEROPLANES

acquiring landing grounds for. ....	168
-------------------------------------	-----

AIR HARBOURS

acquiring lands for. ....	168
---------------------------	-----

APARTMENT HOUSES

power of certain townships as to location and erection of. ....	169
---	-----

ASSOCIATION FOR EXTENDING TECHNICAL KNOWLEDGE

municipal officers as members of. ....	168
--	-----

BUILDINGS

power of certain townships to regulate location and use of, for certain purposes. ....	169
--	-----

BUSSES

power of certain townships to make agreements for operation of, for benefit of defined area. ....	169
---	-----

BY-ELECTION

by-law fixing hours of polling. ....	166
--------------------------------------	-----

CERTIFICATE AS TO PAYMENT OF TAXES

to be filed with declaration of qualification. ....	177
---	-----

ELECTRICAL POWER

submission to electors of question for supply of. ....	168
--	-----

GARAGES

power of certain townships as to location and erection of. ....	169
---	-----

HIGHWAYS

actions for damages caused by nuisance on. ....	172
---	-----

HOSPITALS

grants by county council for. ....	167
------------------------------------	-----

MOTOR VEHICLES

power of towns and villages to license. ....	169
--	-----

NUISANCE ON HIGHWAY

action for damages caused by. ....	172
------------------------------------	-----

OFFICERS

membership in association for improving technical knowledge. ....	168
---	-----

POLICE COMMISSIONS

designation of police magistrate where more than one. ....	168
--	-----

POLICE MAGISTRATE

as member of Board of Police Commissioners. ....	168
--	-----

POLICE SIGNAL SYSTEM

borrowing money for, without assent of electors. ....	168
---	-----

POLL

force of by-law fixing hours. ....	167
------------------------------------	-----

PUBLICITY PURPOSES

limit of expenditure for, in certain municipalities. ....	172
---	-----



MUNICIPAL INSTITUTIONS— <i>Continued</i>	PAGE
QUESTIONS	
submission to electors for securing supply of electrical power.....	168
TAXES	
certificate as to payment of, to be filed with declaration of qualification	167
TENEMENT HOUSES	
power of certain townships as to location and erection of.....	169
TOWNSHIPS IN UNORGANIZED TERRITORY	
power to pass by-laws for certain purposes.....	170
TRANSIENT TRADERS	
licensing, and regulation of.....	171
<b>N</b>	
NATURAL GAS	
public service works on highways,—extension of Act to pipe lines.....	49
NATURAL GAS CONSERVATION	
definition of "natural gas" to include mixture of natural and artificial gas.....	45
NELSON, TOWNSHIP OF	
confirmation of by-law No. 869 granting gas franchise to United Fuel Investments, Limited.....	461, 462
NEPEAN, TOWNSHIP OF	
sewer and water areas, establishment and assessment of cost.....	342
construction of sewers, private drain connections, waterworks, water-mains, etc., in defined areas.....	342, 343
temporary advances to meet cost of works.....	344
levy of general rate to meet deficiencies in special rate.....	344
enlargement or reduction of defined areas.....	344
agreements with other municipalities as to sewage disposal works and use of sewers.....	344, 345
installation of sanitary conveniences.....	346
rates not to be counted in ascertaining limit of statutory rate.....	346
NEW TORONTO, TOWN OF	
agreement with Crown, T.T.C. <i>et al</i> re widening of Lake Shore Road and operation of railway, etc.....	401
confirmation of by-law No. 737 borrowing \$65,000 for asphalt pavement on Lake Shore Road.....	402
NEW YORK CENTRAL RAILROAD CO.	
confirmation of by-law No. 1150 of Township of Cornwall and agreement re assessment of bridge, confirmed.....	264-267
NIAGARA FALLS, CITY OF	
confirmation of tax sales and deeds.....	347
power to declare Victoria Avenue a business street.....	347
borrowing \$20,000 for certain purposes without assent of electors.....	348
NIAGARA PARKS COMMISSION	
powers as to bridges over Niagara River.....	81
NORTHERN ONTARIO DEVELOPMENT	
appropriation for.....	32
loans,—right of commission as to assignment and collection.....	33
NORTH YORK, TOWNSHIP OF	
confirmation of tax sales and deeds.....	349
prohibition as to annexation for one year.....	349
election of public school trustees by ballot.....	349-351
agreement with Bayview Heights, Limited, re construction of steel and concrete bridge over Don ravine, confirmed.....	351
confirmation of by-law No. 714 re construction of bridge over Don ravine and assessment of cost.....	352

NORTH YORK, TOWNSHIP OF— <i>Continued</i>	PAGE
power to borrow for cost of sidewalks and street lights on Hogg's Hollow bridge.....	352
dissolution of certain union school sections.....	353
NOTARIAL WILLS, PROVINCE OF QUEBEC	
admission to probate without production of original.....	64
NURSES REGISTRATION	
who may be registered.....	245

## O

OAKVILLE, TOWN OF	
confirmation of by-law No. 792 granting gas franchise to United Fuel Investments, Limited.....	461, 462
ODDFELLOWS' RELIEF ASSOCIATION	
incorporation as life insurance company.....	445
policy holders members of company, proxies and directors.....	446
meetings, qualification and vacancy in office of director.....	447
powers of directors, head office and investment of funds.....	448
valuation of insurance contracts.....	449
approval of Act by members and form of proxy.....	449
OFFICERS OF THE COURT	
percentage on net income payable to Province.....	39
minimum salary of.....	40
OJIBWAY, TOWN OF	
by-law No. 668 County of Essex, re equalized assessment in town, confirmed	357
extension of term of office of members of council.....	358
OLD AGE PENSIONS	
ADMINISTRATION OF ACT	
cost of, how borne.....	207
AGREEMENT WITH DOMINION GOVERNMENT	
authority for.....	203
payment to terminate on cancellation of, by Dominion.....	205
regulations not to contravene.....	207
COMMISSION	
meaning of.....	203
regulation for designating or establishing.....	206
for payment and expenses of.....	206
COMMITTEE OF ESTATE	
regulations as to payment of pension to.....	206, 207
CONSOLIDATED REVENUE FUND	
payments out of, authorized.....	207
DWELLING HOUSE	
transfer of interest in, to Commission.....	205
HALIBURTON	
to be provisional judicial district.....	203
INCAPACITY OF PENSIONER	
payment of pension to trustee.....	206
LOCAL AUTHORITY	
may take proceedings under <i>Parents' Maintenance Act</i> .....	119
meaning of.....	203
application for pension to be made to.....	204
appointment of board in provisional judicial districts.....	206
MUNICIPAL CORPORATIONS	
contributions from.....	204

OLD AGE PENSIONS—*Continued*

	PAGE
PENSION	
application for.....	204
how to be paid.....	204
contributions by municipal corporations.....	204
authority for payment of.....	204
exemption from taxation.....	205
not subject to attachment, etc.....	205
to be unassignable.....	205
regulations as to time when payable.....	206
PENSIONER	
death of,—right to recover payments with interest.....	205
incapacity of.....	206
not disqualified from voting.....	206
when Commission may assume management of property of.....	206
PROVISIONAL JUDICIAL DISTRICTS	
when contributions from municipalities not required.....	205
appointment of boards to act as local authority in.....	206
REGULATIONS	
power to make.....	206
TRUSTEE	
payment of pension to, in case of incapacity.....	206
TRUSTEE OF ESTATE	
regulations as to payment of pension to.....	206, 207
OLIVER, TOWNSHIP OF	
certain mining locations declared to be part of Township.....	360
confirmation of tax sales and deeds.....	361
ONTARIO LOAN	
authority to borrow \$40,000,000 for provincial purposes.....	4
ONTARIO AND MANITOBA BOUNDARY LINE	
declaration of consent as to boundary as surveyed.....	5
OSHAWA, CITY OF	
by-law No. 1810 borrowing \$17,000 for erection of pavilion in Lake-view Park, confirmed.....	362-364
OSNABRUCK, TOWNSHIP OF	
by-law No. 18 (Power Commission) confirmed.....	58
OTTAWA, CITY OF	
borrowing \$75,000 for extension of watermains and assessment of cost	365
power to borrow for certain purposes without assent of electors.....	366, 367
confirmation of tax sales and deeds.....	367
exemption from taxation of lands of Ottawa Drama League.....	367
grants to widows and dependants of civic employees.....	367, 368
OTTAWA & NEW YORK RY. CO.	
confirmation of by-law No. 1150 of Township of Cornwall, and agreement re assessment of bridge, confirmed.....	264-267
OWEN SOUND, CITY OF	
composition of council.....	369, 370

## P

PARENTS MAINTENANCE	
proceedings,—who may take.....	119
when consent of Crown Attorney not necessary.....	119
PAROLE BOARD	
allowance to members for attendance.....	68
PENSION FUND	
establishment of, for employees of insurance companies.....	129

PERCY, TOWNSHIP OF	PAGE
by-law No. 833 (Power Commission) confirmed.....	58
PLANNING AND DEVELOPMENT	
highway,—private street, lane, etc., deemed to be.....	175
plans,—approval of, where land in urban zone of city over 200,000 ...	175
POLICE MAGISTRATES	
salaries of, in certain townships.....	65
jurisdiction.....	65
POLITICAL CONTRIBUTIONS	
prohibition of, from certain companies and associations.....	26
penalty for violation of provisions of Act.....	26
POPLAR	
suspension of manufacturing condition as to.....	63
PORT ARTHUR, CITY OF	
certain lands sold at tax sale vested in city.....	372, 373
construction of tax deed 8036-D.....	374
confirmation of tax sales and deeds.....	374
issue of debentures by General Hospital and guarantee by city.....	374, 375
POWER COMMISSION	
BY-LAWS AND CONTRACTS	
confirmation of.....	57-59
COST OF SUPPLYING POWER	
certain expenditures to be included.....	50, 51
ELECTRICAL DEVELOPMENT	
conditions of release of certain properties from trust mortgage.....	61, 62
MUNICIPAL COMMISSION	
extension of prohibition as to interest in electrical companies.....	56
exception as to officers or employees taking out patents of invention	56
SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY	
power to extend line, operate busses, etc.....	150
STREET LIGHTING IN RURAL POWER DISTRICTS	
procedure upon entering into contract.....	55, 56
by-law need not provide for issue of debentures.....	55, 56
costs may be chargeable in whole or in part to municipal corporation..	56
STREET LIGHTING IN TOWNSHIPS	
procedure where area enlarged.....	54
where undertaken as local improvement.....	55
contract not necessary for additional area.....	55
TORONTO RADIAL RAILWAYS	
confirmation of sale of certain property.....	68, 69
city authorized to sell certain lands free of bond charge.....	69
WATERWAYS IMPROVEMENT	
apportionment of cost of works heretofore constructed.....	51
appeal from order of county judge.....	52
establishment of sinking fund for paying off cost of work.....	52
annual apportionment of costs and charges.....	52
recovery of costs from municipalities and individuals interested.....	52, 53
how share of Province to be payable.....	53
readjustment of apportionment of costs payable.....	53
WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY	
Commission authorized to operate.....	152
WORKS	
extension of meaning of.....	51
WORKS AND SERVICES	
authority to undertake certain works for individuals as well as muni- cipalities and commissions.....	53

	PAGE
POWER COMMISSION AND COMPANIES TRANSFER	
conditions of release of certain properties from trust mortgage.....	61, 62
PRESQU'ILE PARK	
additions to,—authority for.....	82
PROBATION	
BREACH OF CONDITIONS	
laying new information upon.....	247
additional penalty for.....	248
CROWN ATTORNEY	
when concurrence of, required.....	248
DEFENDANT	
how to be dealt with, without conviction.....	246
release or discharge,—conditions of.....	246, 247
place of abode.....	247
PROVINCIAL AID TO DRAINAGE	
not applicable to sewers, etc.....	70
contributions received from initiating municipality to be included in estimating grant.....	70
PROVINCIAL ELECTIONS	
<i>See</i> ELECTIONS.....	13
PROVINCIAL FORESTS	
certain tracts set aside as.....	39
land reserved not to be disposed of for agricultural purposes.....	39
control of.....	39
regulations,—power as to making, and publication of.....	39
forester,—appointment of.....	39
townsites,—withdrawal of land for.....	40
hunting and fishing,—authority to make regulations as to.....	40
use of, for recreational and educational purposes.....	40
timber limits,—authority to take over from holder.....	40
sale of timber in.....	40
penalty for violation of Act or regulations.....	40
PROVINCIAL LOAN	
authority to borrow \$40,000,000 for provincial purposes.....	4
PUBLIC LIBRARIES	
compensation for land expropriated,—how determined.....	184
rate,—limit as to.....	184
PUBLIC OFFICERS' FEES	
percentage on net income payable to Province.....	29
minimum salary.....	30
PUBLIC SCHOOLS	
inspectors, salaries of.....	236, 237
transportation of pupils,—arrangements as to.....	236
trustees,—power to contribute to insurance fund for teachers and officers of board.....	236
PUBLIC SERVICE	
superannuation,—return of contributions where board ceases to be paid by Province.....	27
PUBLIC SERVICE WORKS ON HIGHWAYS	
appliances and works, meaning extended to include pipes and pipe lines	49
operating corporation,—meaning extended to include company dis- tributing artificial or natural gas.....	49
PUBLIC TRUSTEE	
parents maintenance,—authorized to take proceedings.....	119
dependants' relief,—notice to.....	122
right to appear and be heard.....	122

PUBLIC UTILITIES	PAGE
power to supply, in adjoining municipality.....	185
PULPWOOD CONSERVATION	
ANNUAL RETURNS	
by companies holding concessions.....	38
COMPANY	
meaning of.....	34
statement to be filed with Department.....	34
particulars to be contained in.....	34-36
extending time for filing.....	36
study of, by Department.....	36
annual returns by.....	38
penalty for breach of Act or regulations.....	38
CUTTING	
control of, by Minister .....	37
DUES	
increase in, for purpose of providing funds.....	38
EXPENSES	
provision for.....	38
NURSERIES	
establishment of.....	37
NURSERY STOCK	
setting aside townships, etc., for planting .....	37
PENALTY	
for breach of Act or regulations.....	38
PULPWOOD	
meaning of.....	34
REGULATIONS	
power as to making.....	38
REVENUE	
how to be provided.....	38
STATEMENTS	
by companies, what to contain.....	34-36
extension of time for filing.....	36
study of, by Department.....	36
SUSTAINED YIELD BASIS	
Department to devise plan to place supply on.....	36

## R

RAILWAY AND MUNICIPAL BOARD	
control of exercise of powers of expropriation by companies.....	66
REAL ESTATE TITLES	
<i>See</i> INVESTIGATION OF TITLES OF REAL ESTATE.....	106
REAR ESCOTT AND YONGE, TOWNSHIP OF	
by-law No. 664 (Power Commission) confirmed.....	58
RECIPROCAL ENFORCEMENT OF JUDGMENTS	
ACTION ON JUDGMENT	
right to bring, not affected.....	86
APPLICATION OF ACT	
Order-in-Council providing for.....	86
may be varied.....	86

RECIPROCAL ENFORCEMENT OF JUDGMENTS— <i>Continued</i>	PAGE
COSTS	
right to recovery of .....	85
COURT	
powers of, may be exercised by judge .....	84
EX PARTE ORDERS	
notice of registration on .....	85
setting aside .....	85
JUDGMENT	
meaning of .....	83
registration of,—application for .....	84
conditions of .....	84
effect of .....	85
notice of, on <i>ex parte</i> order .....	85
JUDGMENT CREDITOR	
meaning of .....	83
NOTICE	
of application to register .....	84
of registration on <i>ex parte</i> order .....	85
ORIGINAL COURT	
meaning of .....	83
REGISTERING COURT	
meaning of .....	83
REGISTRATION OF JUDGMENTS	
notice of application to register .....	84
conditions of .....	84
effect of .....	85
notice of, on <i>ex parte</i> order .....	85
RULES OF COURT	
power to make .....	86
REGISTRAR OF SURROGATE COURT	
percentage on net income payable to Province .....	29
minimum salary of .....	30
REGISTRATION OF DEEDS	
ABSTRACT INDEX	
re-copying not to go back further than forty years .....	111
duty of registrar as to marking off certain entries .....	113, 114
time within which registrar to complete .....	114
additional assistance when necessary .....	114, 115
ABSTRACT OF TITLE	
omission of certain expired instruments .....	111
DOWER	
evidence of man's marriage or otherwise required on registration .....	111, 112
FEES	
alterations in tariff .....	115
amount which may be retained by registrars .....	115
percentages payable to Province .....	115
supplementary grant where income less than \$1,800 .....	116
GENERAL REGISTER	
entry of certificates of judgment or certain orders of court .....	111
HIGHWAY	
what to be deemed .....	115
LETTERS OF ADMINISTRATION	
registration of .....	112

REGISTRATION OF DEEDS— <i>Continued</i>	PAGE
MECHANICS' LIENS	
when entries to be marked off by registrar.....	114
MORTGAGES	
production and cancellation of duplicate, on registering discharge....	113
marking off entries in abstract index when discharged.....	113
partial discharge.....	113, 114
STREET	
what to be deemed.....	115
TITLES	
<i>See</i> INVESTIGATION OF TITLES OF REAL ESTATE.....	106
WILLS	
registration of.....	112
REGISTRATION OF GUESTS IN HOTELS	
<i>See</i> HOTELS.....	212
REGISTRATION OF NURSES	
who may be registered.....	245
RESEARCH, FOUNDATION	
ADVISORY BOARD	
appointment of.....	243
CHAIRMAN	
powers of.....	243
CONTRIBUTIONS BY PROVINCE	
how to be made.....	244
PATENTS OF INVENTION	
right to acquire.....	244
SUBSCRIPTIONS	
agreement for.....	243
RICHMOND, VILLAGE OF	
by-law No. 302 (Power Commission) confirmed.....	57
RICHMOND HILL, VILLAGE OF	
consolidation of floating debt (\$13,300).....	376-378

S

ST. THOMAS, CITY OF	
power to release goods and chattels covered by mortgage from C. Norsworthy Co.....	379
extension of time for payment of mortgage.....	379, 380
ST. VINCENT, TOWNSHIP OF	
by-law No. 3-1928 (Power Commission) confirmed.....	58
SANDWICH, TOWN OF	
confirmation of agreement with Canadian Transit Co. <i>re</i> fixed assessment of International Bridge, confirmed.....	381-384
SANDWICH SOUTH, TOWNSHIP OF	
Sandwich, Windsor and Amherstburg Railway,—amendment of agreement as to.....	158, 159
SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY	
Power Commission authorized to extend line, operate busses, etc.....	150
SARNIA, CITY OF	
by-law No. 1669 (Power Commission) confirmed.....	57
by-law No. 1790 (borrowing \$400,000) and agreement with Sarnia Elevator Co., <i>re</i> erection of addition to grain elevator, confirmed...	385-393



	PAGE
SCARBOROUGH, TOWNSHIP OF	
agreement with T.T.C. <i>re</i> moving tracks on Kingston Road.....	401
SCHOOL LAW AMENDMENTS	
BERTIE, TOWNSHIP OF	
S.S. No. 11, constituted high school district.....	240
BOARDS OF EDUCATION	
municipal board in town or village,—how formed.....	239
CONTINUATION SCHOOLS	
permanent improvements,—extension of meaning of.....	237
county grant to.....	237
CRYSTAL BEACH, VILLAGE OF	
included in high school district.....	240
HIGH SCHOOLS	
permanent improvements,—extension of meaning of.....	237, 238
trustees,—appointment of.....	238
transportation of pupils,—arrangements as to.....	238
trustees,—power to contribute to insurance fund for teachers and officers of board.....	238
county pupils,—right to attend after notice.....	239
non-resident pupils,—agreements for payment of fees of.....	239
S.S. No. 11, Township of Bertie, constituted high school district.....	240
PUBLIC SCHOOLS	
trustees,—power to contribute to insurance fund for teachers and officers of board.....	236
transportation of pupils,—arrangements as to.....	236
inspectors,—salaries of.....	236, 237
TEACHERS' AND INSPECTORS' SUPERANNUATION	
regulations as to withdrawal of contributions.....	239
VOCATIONAL EDUCATION	
appointment of officers by advisory committee.....	240
grant for county pupils.....	240
WELLAND, COUNTY OF	
S.S. No. 11, Township of Bertie, constituted high school district.....	240
SCOTT, TOWNSHIP OF	
by-law No. 82 (Power Commission) confirmed.....	58
SECURITY FRAUDS PREVENTION	
ACCOUNTING SYSTEM	
power of executive committee to order change in.....	136
ATTORNEY GENERAL	
notice by, of examination.....	133
effect of.....	133
procedure to enforce payment of costs of investigation.....	133, 134
AUDIT	
appointment of auditors.....	134
allotment of audits.....	134
special.....	135
powers of auditors.....	135
AUDITORS	
allotments to.....	134
duties and powers.....	135
report.....	135
appointment of brokers' auditor and exchange auditor.....	134
protection of.....	136
BROKERS' AUDITOR	
who to be.....	134

SECURITY FRAUDS PREVENTION— <i>Continued</i>	PAGE
EXCHANGE AUDITOR who to be.....	134
EXECUTIVE COMMITTEE	
meaning of.....	134
power to order change in system of accounting.....	136
allotment of duties of auditors by.....	134
protection of.....	136
PENALTY	
apportionment of, among officers, directors, etc.....	133
REGISTER	
cancellation of entries,—when to take place.....	132
SECURITY BY BROKERS	
form of.....	132
forfeiture in case of bankruptcy or winding up.....	132
SENECA, TOWNSHIP OF	
by-law No. 305 (Power Commission) confirmed.....	58
SHERIFFS	
execution. <i>See</i> EXECUTION	
tax sales,—repeal of special provisions as to Manitoulin and Rainy River.....	28
percentage on net income payable to Province.....	29
minimum salary of.....	30
fees,—tariff of, amended.....	104
SHORT FORMS OF LEASES	
correction of clerical error.....	65
SILICOSIS	
regulations for prevention of.....	198
granite workers,—regulations as to protection of.....	199
SOLDIERS' AID COMMISSION	
BRANCHES	
establishment of.....	9
CEMETERY	
power to acquire land for.....	10
CHILDREN	
rights, powers and duties of Commission as to.....	10
establishment of shelters for.....	10
agreement to accept custody of.....	11
COMMISSION	
continued, and constituted a body corporate.....	8
powers of, declared.....	9
adding members and filling vacancies.....	9
branches, establishment of, by.....	9
powers as to receiving gifts, etc.....	9, 10
acquiring land for cemetery purposes.....	10
powers as to aiding widows and children of soldiers.....	10
establishment of children's shelters.....	10
powers as to custody of children.....	11
authority to impose further duties on.....	11
members to be paid travelling expenses only.....	11
CONVEYANCES	
sufficiency of execution.....	8
confirmation of documents formerly executed.....	8
EDUCATION	
powers of Commission as to providing.....	11
LAND	
power to receive gifts of.....	9, 10

<b>SOLDIERS' AID COMMISSION—Continued</b>	<b>PAGE</b>
<b>Widows</b>	
power to grant aid to.....	10
<b>WILLS</b>	
power to receive gifts under.....	9
when Commission to be beneficiary under, where no other named....	10
<b>SOUTHAMPTON, TOWN OF</b>	
by-laws Nos. 776 and 781 (Power Commission) confirmed.....	58
<b>SPECIAL CONSTABLES</b>	
<i>See</i> CONSTABLES	
<b>SPORTS</b>	
tax on gate receipts for professional contests.....	66
<b>STAMFORD, TOWNSHIP OF</b>	
by-law No. 239 of 1928 (Power Commission) confirmed.....	58
confirmation of certain local improvement and debenture by-laws....	394, 395
<b>STANLEY, TOWNSHIP OF</b>	
by-law No. 8 (Power Commission) confirmed.....	58
<b>STATUTE OF FRAUDS</b>	
limitation as to validity of covenants or conditions in agreements for sale of land.....	65
<b>STATUTE LAW AMENDMENTS</b>	
<b>ADOPTION</b>	
consent of father of illegitimate child,—when required.....	66
<b>ATHLETIC COMMISSION</b>	
amount of tax on gate receipts at professional contests.....	66
<b>CHILDREN'S PROTECTION</b>	
custody of child,—power of judge as to enforcing order for.....	67
maintenance, enforcing order for.....	67
immigration societies,—duty of, as to children brought into Ontario..	67, 68
<b>CHILDREN OF UNMARRIED PARENTS ACT</b>	
"Judge," meaning of.....	66
<b>COMPANIES</b>	
control of exercise of powers of expropriation.....	66
<b>CONDITIONAL SALES</b>	
contracts originating out of Ontario.....	65
<b>CORN BORER</b>	
penalty for disobedience to Act.....	68
<b>COUNTY JUDGES</b>	
allowance to certain junior judges.....	64
to senior judge of York.....	64
<b>CROWN TIMBER</b>	
suspension of manufacturing condition as to poplar.....	63
lien for dues, etc.—priority of.....	63
notice of .....	64
<b>IMMIGRATION SOCIETIES</b>	
duty of, as to children brought into Ontario.....	67, 68
<b>MAGISTRATES</b>	
salaries of, in certain townships.....	65
jurisdiction.....	65
<b>MANUFACTURING CONDITION</b>	
suspension of, as to poplar.....	63
<b>MASTER AND SERVANT</b>	
enforcement of magistrate's order for payment of wages.....	65

STATUTE LAW AMENDMENTS— <i>Continued</i>	PAGE
MINIMUM WAGE	
power to fix wages for illegal overtime.....	67
MOTHERS' ALLOWANCES	
extension to case of child legitimized by marriage of parents.....	68
allowances in special cases.....	68
PAROLE BOARD	
allowance to members for attendance.....	68
POWER COMMISSION	
confirmation of sales of certain radial railway property by.....	68, 69
RAILWAY AND MUNICIPAL BOARD	
control of exercise of powers of expropriation by companies.....	66
SHORT FORMS OF LEASES	
correction of clerical error.....	65
STATUTE OF FRAUDS	
limitation as to validity of covenants or conditions in agreements for sale of land.....	65
SURROGATE COURTS	
admission of Quebec notarial wills to probate.....	64
additional fees where value of estate increased for succession duty purposes.....	64
letters of verification of Quebec to be admitted to probate.....	65
TORONTO, CITY OF	
disposal of certain lands acquired under Toronto Radial Railway Acts	68, 69
University Avenue extension,—time for passing by-law.....	68
UNIVERSITY AVENUE EXTENSION	
extension of time for passing by-law.....	68
VOTERS' LISTS	
correction of error in form of notice of posting up.....	63
STEAM BOILERS	
Minister of Labour substituted for Minister of Public Works.....	228
STONE WORKERS	
regulations for prevention of silicosis among.....	198
SUBURBAN AREA DEVELOPMENT	
debentures,—approval of council to issue of.....	176
SUCCESSION DUTY	
insurance money payable to preferred beneficiary,—exception as to payment on.....	31
companies,—provision for securing payment of, on transmission of shares.....	126, 127
SUDBURY, TOWN OF	
confirmation of certain debenture by-laws.....	396, 397
SUMMARY CONVICTIONS	
counsel fees,—when justice may award.....	97
SUPERANNUATION OF TEACHERS AND INSPECTORS	
regulations as to withdrawal of contributions.....	239
SUPPLIES	
for Civil Government 1928-1929, 1929-1930.....	1-3
SURROGATE COURTS	
admission of Quebec notarial wills to probate.....	64
additional fees where value of estate increased for succession duty purposes.....	64
letters of verification of Quebec to be admitted to probate.....	65

## T

TAX SALES AND DEEDS	
confirmation of those prior to 31st December, 1924.....	181
TEACHERS AND INSPECTORS SUPERANNUATION	
regulations as to withdrawal of contributions.....	239
TECUMSEH, TOWN OF	
amendments to Act <i>re</i> composition of council and term of office of members.....	398, 399
THURLOW, TOWNSHIP OF	
by-law No. 795 (Power Commission) confirmed.....	58
TILBURY WEST, TOWNSHIP OF	
by-law No. 461 (Power Commission) confirmed.....	58
TILE DRAINAGE	
ANNUAL RETURN	
duty of council as to.....	74
APPLICATION	
for purchase of debentures by Province.....	72
of owner to council.....	72
consideration of, by council.....	73
BORROWING POWERS OF COUNCILS.....	71
BY-LAW	
for borrowing sums from Province.....	71
publication before and after passing.....	71
special meeting for adoption of.....	71
validity of, after dismissal of proceedings to quash, etc.....	72
for imposing rates on land of borrowing owner.....	74
COUNCIL	
members not to borrow.....	73
personal liability of members.....	75
COUPONS	
form of.....	72
DEBENTURES	
form of.....	72
issue and sale of.....	72
issuing of, on borrowing by owner.....	73
investment by Province in.....	73
not questionable after investment by Province.....	73
repayment of, how to be provided.....	74
applying sums received from owners.....	74
proceedings on default in payment.....	74, 75
ENCUMBRANCES	
declaration as to.....	72
notice to holder of.....	73
GENERAL RATE	
levied in case of default in special rate.....	75
INSPECTOR	
council to appoint.....	73
report of.....	74
INTEREST	
rate of.....	71
INVESTMENT	
investigation and report by Treasurer of Ontario.....	72
what may be authorized by Lieutenant-Governor in Council.....	73

TILE DRAINAGE—*Continued*

	PAGE
LIMITATION	
upon total indebtedness to be incurred.....	71
on amounts lent to owners.....	73
LOANS TO OWNERS	
limitation of amount.....	73
MORTGAGES	
declaration as to.....	72
notice to holder of.....	73
OWNER	
application for loan.....	72
limitation of amount which may be loaned to.....	73
by-law imposing rate on land of.....	74
right to discharge indebtedness.....	74
liability preserved.....	75
RATE	
by-laws for imposing on land of borrowing owner.....	74
REGULATIONS	
power as to making.....	75
REPAYMENT	
by owner to municipality.....	74
by municipality to Province.....	74, 75
TREASURER OF MUNICIPALITY	
duty on default in payment to Province.....	75
TREASURER OF ONTARIO	
investigation and report on investment by.....	72
TIMBER LICENSEES	
extension and enforcement of lien for dues etc.....	63, 64
TIMBER ON PUBLIC LANDS	
<i>See</i> CROWN TIMBER.....	63
PROVINCIAL FORESTS.....	39
PULPWOOD CONSERVATION.....	34
TITLES	
<i>See</i> INVESTIGATION OF TITLES OF REAL ESTATE	
TORONTO, CITY OF	
disposal of certain lands acquired under Toronto Radial Railway Acts.....	68, 69
University Avenue extension,—time for passing by-law.....	68
declaration as to effect of conveyance to City by Jane Prittie.....	400
grants for certain purposes confirmed.....	400, 401
agreement with T.T.C. <i>re</i> operation of Mimico and Scarborough Radial	401
between Township of Scarborough and T.T.C. <i>re</i> moving of tracks	
on Kingston Road.....	401
between Crown, towns of Mimico and New Toronto, Township of	
Etobicoke and T.T.C. <i>re</i> widening of Lake Shore Road, etc....	401
levy of corporation's share in Township of Etobicoke.....	401
by-law No. 737 of New Toronto (\$65,000) for asphalt pavement on	
Lake Shore Road confirmed.....	402
confirmation of certain by-laws of Town of Mimico <i>re</i> widening of Lake	
Shore Road and construction of pavement and curbing.....	402, 403
Nursewood Road, power to widen as local improvement.....	403
grant of \$25,000 to Toronto Industrial & Publicity Commission.....	403
order of Municipal Board annexing part of Township of York, confirmed	404
certain lands in city annexed to Forest Hill Village.....	404
confirmation of tax sales and deeds.....	404, 405
description of land to be expropriated for widening of Bloor Street....	419
borrowing \$550,000 for cost of bridge over Humber River.....	420
borrowing \$1,969,780 for certain purposes without assent of electors....	420, 421
power to make annual grant of \$1,000 to W. F. Ardagh.....	421
borrowing \$1,000,000 for cost of automotive building in Exhibition Park	421
grant of \$10,000 to Art Gallery and \$15,000 to memorial to Sir Adam	
Beck.....	421

TORONTO TRANSPORTATION COMMISSION	PAGE
agreement with Township of East York and Town of Leaside <i>re</i> bus service, confirmed.....	268
TRAFALGAR, TOWNSHIP OF	
by-laws Nos. 445 and 446 (Power Commission) confirmed.....	58
confirmation of by-law No. 442 granting gas franchise to United Fuel Investments, Limited.....	461, 462
TRANSPORTATION OF FOWL	
<i>See</i> FOWL TRANSPORTATION.....	225
TRUST COMPANIES	
<i>See</i> LOAN AND TRUST CORPORATIONS	
TURNBURY, TOWNSHIP OF	
by-law No. 24 (Power Commission) confirmed.....	58
TYENDINAGA, TOWNSHIP OF	
by-law No. 779 (Power Commission) confirmed.....	58

## U

UNITED FUEL INVESTMENTS, LIMITED	
confirmation of certain municipal by-laws granting franchise to supply gas.....	461, 462
mains, pipes, etc., to become property of municipality if not removed.....	462
UNIVERSITY AVENUE EXTENSION	
extension of time for passing by-law.....	68
UNIVERSITY OF TORONTO	
correction of description of certain lands vested in Crown.....	241, 242

## V

VAUGHAN, TOWNSHIP OF	
by-law No. 1192 (Power Commission) confirmed.....	58
VESPRE, TOWNSHIP OF	
by-law No. 727 (Power Commission) confirmed.....	58
VITAL STATISTICS	
sub-registrars in cities of 100,000 or over for registration of deaths...	80
VOCATIONAL EDUCATION	
county pupils,—grant for.....	240
officers,—appointment of, by advisory committee.....	240
VOTERS' LISTS	
correction of error in form of notice of posting up.....	63

## W

WAWANOSH EAST, TOWNSHIP OF	
by-law No. 8-1928 (Power Commission) confirmed.....	58
WAWANOSH WEST, TOWNSHIP OF	
by-law No. 5-1928 (Power Commission) confirmed.....	58
WELLAND, COUNTY OF	
S.S. No. 11, Township of Bertie, constituted high school district.....	240
WHITBY EAST, TOWNSHIP OF	
by-law No. 1015 (Power Commission) confirmed.....	58
WIDOW	
distribution of estate of husband where widow and one child survive... application for relief by modification of terms of will.— <i>See</i> DEPENDANTS' RELIEF	110

WINDSOR, CITY OF	PAGE
by-law No. 3910 and agreement with Detroit River Tunnel Co., re	
construction of tunnel.....	422, 423
extension of city limits to International boundary.....	423
appointment of city manager.....	426, 427
WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY	
AGREEMENT	
confirmation of.....	152
termination of.....	157
adjustment on termination.....	157
revival of.....	158
ASSOCIATION	
agreements with Commission confirmed.....	152, 153
borrowing powers of.....	153, 154
additional borrowing powers.....	154
appointment of executive committee.....	155
expenses of organization.....	155
administration.....	155
payments of deficits by.....	156
collection of deficits from corporations.....	156
to be responsible for financing.....	159
BONDS	
application of sinking fund in redemption of.....	158
COMMISSION	
not bound to operate until debentures issued.....	154
termination of agreement by.....	157
not to incur any financial liability.....	159
CORPORATIONS	
liability of, if enterprise not proceeded with.....	155
collection of deficits from.....	156
responsibility as to Railway.....	159
DEBENTURES	
issue of, for working expenditure.....	153
for rehabilitation.....	154
assent of electors not required.....	160
DEFICITS	
payment of, by Association.....	156
ELECTORS, ASSENT OF	
not required to incur debt or to issue of debentures.....	160
EXECUTIVE COMMITTEE	
appointment of, by Association.....	155
to apportion deficit among corporations.....	156
GENERAL RATE	
raising contribution by.....	159
GOSFIELD NORTH, TOWNSHIP OF	
amendment of agreement as to.....	158, 159
PROVINCE OF ONTARIO	
not responsible for any debt or liability of Railway.....	159
RAILWAY ACT	
certain sections of, not to apply.....	160
REHABILITATION	
issue of debentures for.....	154
REPRESENTATIVES OF MUNICIPALITIES	
to be resident in municipality.....	160
SANDWICH SOUTH, TOWNSHIP OF	
amendment of agreement as to.....	158, 159



WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY— <i>Continued</i>	PAGE
SINKING FUND	
application of, in redemption of bonds.....	158
WORKING EXPENDITURE	
debentures,—issue of, for.....	153
term of.....	153
how to rank.....	153
not included in estimating indebtedness of corporations..	153
proceeds of, transferred to Commission.....	153
WITNESSES AND EVIDENCE	
<i>See</i> EVIDENCE.....	91
WOLF BOUNTY	
penalties,—keeping live wolves.....	234
fraudulently applying for bounty.....	234
procedure.....	235
skin,—forfeiture of, in case of fraud.....	234
WOLFORD, TOWNSHIP OF	
by-law No. 449 (Power Commission) confirmed.....	58
WOLVES	
poison,—use of, when lawful.....	232
WOMEN	
employment of, by Chinese prohibited.....	200
payment for illegal overtime.....	201
WOODHOUSE, TOWNSHIP OF	
by-law No. 359 (Power Commission) confirmed.....	58
<b>Y</b>	
YORK, TOWNSHIP OF	
confirmation of Order of Municipal Board annexing land to City of Toronto.....	404
establishment of public utilities commission for supply of water and electrical power.....	428, 429
power of Housing Commission to sell houses.....	429
agreement with Township of Etobicoke <i>re</i> acquiring land for right of way for Humber bridge, confirmed.....	429
confirmation of tax sales and deeds.....	430
rates levied under certain special Act deemed local improvement rates	430
power to construct subway under C.N.R. and C.P.R. at Ray Avenue.	430
power to unite polling subdivisions.....	431
confirmation of certain local improvement by-laws.....	431, 432
extension of provision prohibiting annexation of land.....	432
<b>Z</b>	
ZONE, TOWNSHIP OF	
by-law No. 8 of 1926 (Power Commission) confirmed.....	58

# TABLE OF PUBLIC STATUTES

## 1927-1929

TABLE SHOWING THE EXISTING ACTS OF THE PROVINCE OF ONTARIO WITH AMENDMENTS THERETO, INCLUDING THE STATUTES OF 1928 AND 1929.

NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

*Abbreviations.*—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s.=section; sub.=substituting; sup.=superseding.

### A

- ABSCONDING DEBTORS' ACT. R.S.O. 1927, c. 114.  
 ABSENTEE ACT. R.S.O. 1927, c. 108.  
 ACCIDENT. *See* Fatal Accidents Act; Workmen's Compensation Act.  
 ACCIDENTAL FIRES ACT. R.S.O. 1927, c. 146.  
 ACCIDENT PREVENTION. *See* Fire; Factory, Shop and Office Building Act; Mining Act; Threshing Machines Act.  
 ACCOUNTANTS. *See* Chartered Accountants Act.  
 ACCUMULATIONS ACT. R.S.O. 1927, c. 138.  
 ADMINISTRATION OF ESTATES. *See* Crown Administration of Estates Act; Devolution of Estates Act; Public Trustee Act; Settled Estates Act; Succession Duty Act; Surrogate Courts Act; Trustee Act.  
 ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1927, c. 126; 1928, c. 21, s. 7 am; 1929, c. 40 am.  
 ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 333.  
 ADOPTION ACT. R.S.O. 1927, c. 189; 1928, c. 29 am; 1929, c. 23, s. 11 am.  
 AGENTS. *See* Factors Act.  
 AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1927, c. 70.  
 AGRICULTURAL COLLEGE ACT. R.S.O. 1927, c. 339.  
 AGRICULTURAL DEVELOPMENT ACT. R.S.O. 1927, c. 68; 1928, c. 21, s. 3 am.  
 AGRICULTURAL DEVELOPMENT FINANCE ACT. R.S.O. 1927, c. 67.  
 AGRICULTURAL REPRESENTATIVES ACT. R.S.O. 1927, c. 73.  
 AGRICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 71.  
 AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Agricultural Representatives Act; Agricultural Societies Act; Consolidated Cheese Factories Act; Corn Borer Act; County Publicity Act; Dairy; Department of Agriculture Act; Farm Loans Act; Live Stock and Products Act; Protection of Cattle Act.  
 ALBERTA COAL SALES ACT. 1929, c. 70.  
 ALIENS' REAL PROPERTY ACT. R.S.O. 1927, c. 136.  
 AMUSEMENTS TAX ACT. R.S.O. 1927, c. 32.  
 AN ACT TO CONFIRM THE REVISED STATUTES OF ONTARIO, 1927; 1928, c. 2.  
 AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN SUMS OF MONEY FOR THE PUBLIC SERVICE. 1928, c. 1; 1929, c. 1.  
 AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND. 1928, c. 6; 1929, c. 2.  
 AN ACT RESPECTING CERTAIN LANDS OF THE CANADIAN GENERAL ELECTRIC COMPANY, LIMITED, IN THE COUNTY OF WELLAND. 1928, c. 20.  
 AN ACT RESPECTING THE TORONTO GENERAL HOSPITAL. 1928, c. 58.  
 ANATOMY ACT. R.S.O. 1927, c. 197.  
 ANDREW MERCER REFORMATORY ACT. R.S.O. 1927, c. 346.  
 ANIMALS. *See* Branding of Live Stock Act; Dog Tax and Sheep Protection Act; Entry of Horses at Exhibitions Act; Injured Animals Act; Game and Fisheries Act; Stallion Act; Protection of Cattle Act.  
 APPEALS. *See* Privy Council Appeals Act.  
 APPORTIONMENT ACT. R.S.O. 1927, c. 191.  
 APPRENTICESHIP ACT. 1928, c. 25.

ARBITRATION. *See* Arbitration Act; Damage by Fumes Arbitration Act; Municipal Arbitrations Act.  
 ARBITRATION ACT. R.S.O. 1927, c. 97.  
 ARCHITECTS ACT. R.S.O. 1927, c. 203.  
 ARCHIVES ACT. R.S.O. 1927, c. 80.  
 ARREST. *See* Fraudulent Debtors' Arrest Act.  
 ASSEMBLY. *See* Legislative Assembly Act.  
 ASSESSMENT ACT. R.S.O. 1927, c. 238; 1928, c. 39 am; 1929, c. 63 am.  
 ASSIGNMENT OF BOOK DEBTS ACT. R.S.O. 1927, c. 166.  
 ASSIGNMENTS AND PREFERENCES ACT. R.S.O. 1927, c. 162.  
 ASSURANCES OF ESTATES TAIL. *See* Estates Tail Act.  
 ATHLETIC COMMISSION ACT. R.S.O. 1927, c. 261; 1928, c. 21, s. 21 am; 1929, c. 23, s. 13 am.  
 ATHLETICS. *See* Athletic Commission Act; Community Halls Act.  
 AUCTIONEERS. *See* Provincial Auctioneers' License Act.  
 AUDIT ACT. R.S.O. 1927, c. 25.  
 AUXILIARY CLASSES ACT. R.S.O. 1927, c. 324.

## B

BARBERRY SHRUB ACT. R.S.O. 1927, c. 311; 1929, c. 81 rep. and sup.  
 BARRISTERS ACT. R.S.O. 1927, c. 193.  
 BEACH PROTECTION ACT. R.S.O. 1927, c. 298; 1929, c. 77 aff.  
 BEACHES AND RIVER BEDS ACT. R.S.O. 1927, c. 299; 1929, c. 77 aff.  
 BED OF NAVIGABLE WATERS ACT. R.S.O. 1927, c. 42.  
 BEES ACT. R.S.O. 1927, c. 314.  
 BILLIARD ROOMS. *See* Minors' Protection Act.  
 BILLS OF SALE AND CHATTEL MORTGAGES ACT. R.S.O. 1927, c. 164.  
 BIRDS. *See* Protection of Birds Act.  
 BIRTHS. *See* Vital Statistics Act.  
 BOARDS OF EDUCATION ACT. R.S.O. 1927, c. 327; 1928, c. 53, s. 7 am; 1929, c. 84, s. 12 am.  
 BOILERS. *See* Steam Boiler Act  
 BONUS LIMITATION ACT. R.S.O. 1927, c. 234.  
 BOOK DEBTS. *See* Assignment of Book Debts.  
 BOUNDARIES. *See* Ontario and Manitoba Boundary Line Act.  
 BOUNTY. *See* Wolf Bounty Act.  
 BOYS' WELFARE HOME AND SCHOOL ACT. R.S.O. 1927, c. 282; 1928, c. 49 am.  
 BRANDING OF LIVE STOCK ACT. R.S.O. 1927, c. 305.  
 BREAD SALES ACT. R.S.O. 1927, c. 268.  
 BUILDING TRADES PROTECTION ACT. R.S.O. 1927, c. 274.  
 BULK SALES ACT. R.S.O. 1927, c. 167; 1928, c. 24 am.  
 BUREAU OF MUNICIPAL AFFAIRS ACT. R.S.O. 1927, c. 232.  
 BURIAL GROUNDS. *See* Cemetery Act.  
 BURLINGTON BEACH ACT. R.S.O. 1927, c. 83.  
 BUTTER. *See* Cheese and Butter Exchanges Act; Dairy; Milk, Cheese and Butter Act.

## C

CANADA FOUNDRY COMPANY SITES ACT. 1928, c. 20.  
 CATTLE. *See* Branding of Live Stock Act; Protection of Cattle Act.  
 CEMETERY ACT. R.S.O. 1927, c. 317.  
 CEMETERIES. *See* Cemetery Act; Registry Act.  
 CHARITABLE INSTITUTIONS. *See* Hospitals and Charitable Institutions Act.  
 CHARITIES ACCOUNTING ACT. R.S.O. 1927, c. 152.  
 CHARTERED ACCOUNTANTS ACT. R.S.O. 1927, c. 205.  
 CHEESE. *See* Cheese and Butter Exchanges Act; Consolidated Cheese Factories Act; Dairy Products Act; Milk, Cheese and Butter Act.  
 CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1927, c. 231.  
 CHILDREN. *See* Adoption Act; Apprenticeship Act; Auxiliary Classes Act; Boys' Welfare Home and School Act; Children's Protection Act; Children of Unmarried Parents Act; Dependents' Relief Act; Deserted Wives' and Children's Maintenance Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding House Act; Mothers' Allowances Act; Minors' Protection Act.  
 CHILDREN OF UNMARRIED PARENTS ACT. R.S.O. 1927, c. 188; 1928, c. 28 am; 1929, c. 23, s. 10 am.  
 CHILDREN'S PROTECTION ACT. R.S.O. 1927, c. 279; 1928, c. 46 am; 1929, c. 23 s. 15 am.  
 CIRCUS. *See* Travelling Shows Act.  
 CIVIL SERVICE. *See* Public Service.  
 COLLEGE OF ART ACT. R.S.O. 1927, c. 342.  
 COLONIZATION OF ROADS ACT. R.S.O. 1927, c. 37; 1928, c. 13 am.  
 COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1927, c. 109.  
 COMMUNITY HALLS ACT. R.S.O. 1927, c. 247.

- COMPANIES. *See* Companies Act; Companies Information Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Security Frauds Prevention Act.
- COMPANIES ACT. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.
- COMPANIES INFORMATION ACT. 1928, c. 33; 1929, c. 50 am.
- COMPENSATION. *See* Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.
- CONDITIONAL SALES ACT. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.
- CONSOLIDATED CHEESE FACTORIES ACT. R.S.O. 1927, c. 77.
- CONSOLIDATED REVENUE FUND ACT. R.S.O. 1927, c. 22.
- CONSTABLES ACT. R.S.O. 1927, c. 125; 1929, c. 39, am.
- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1927, c. 117.
- CONTINUATION SCHOOLS ACT. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am; 1929, c. 84, ss. 5, 6 am.
- CONTRIBUTORY NEGLIGENCE ACT. R.S.O. 1927, c. 103.
- CONVERTED ELECTIONS ACT. R.S.O. 1927, c. 11; 1928, c. 4 am.
- CONVEYANCING. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1927, c. 137.
- CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.
- CO-OPERATIVE MARKETING LOAN ACT. R.S.O. 1927, c. 75.
- CORN BORER ACT. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.
- CORONERS ACT. R.S.O. 1927, c. 123.
- CORPORATIONS TAX ACT. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.
- COSTS OF DISTRESS ACT. R.S.O. 1927, c. 110; 1929, c. 34 am.
- COUNTIES REFORESTATION ACT. R.S.O. 1927, c. 289.
- COUNTY COURT JUDGES' CRIMINAL COURTS ACT. R.S.O. 1927, c. 93.
- COUNTY COURTS ACT. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.
- COUNTY JUDGES ACT. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am; 1929, c. 23, s. 3 am.
- COUNTY PUBLICITY ACT. R.S.O. 1927, c. 74.
- COURTS. *See* Administration of Justice Expenses Act; County Court Judges Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors' Act; Justices of the Peace Act; Magistrates Act; Mining Act; Privy Council Appeals Act; Surrogate Courts Act.
- CREAM. *See* Dairy Products Act; Milk and Cream Act.
- CREDITORS RELIEF ACT. R.S.O. 1927, c. 113.
- CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1927, c. 104.
- CROWN ATTORNEYS ACT. R.S.O. 1927, c. 122; 1929, c. 38 am.
- CROWN TIMBER ACT. R.S.O. 1927, c. 38; 1928, c. 14 am; 1929, c. 23, s. 2 am.
- CROWN WITNESSES ACT. R.S.O. 1927, c. 127.
- CULLERS ACT. R.S.O. 1927, c. 209.
- CUSTODY OF DOCUMENTS ACT. R.S.O. 1927, c. 157.

## D

- DAIRY. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
- DAIRY PRODUCTS ACT. R.S.O. 1927, c. 267.
- DAMAGE BY FUMES ARBITRATION ACT. R.S.O. 1927, c. 49.
- DEATHS. *See* Vital Statistics Act.
- DEBT COLLECTORS' ACT. R.S.O. 1927, c. 272.
- DEFINITION OF TIME ACT. R.S.O. 1927, c. 160.
- DENTISTRY ACT. R.S.O. 1927, c. 198.
- DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1927, c. 66.
- DEPARTMENT OF EDUCATION ACT. R.S.O. 1927, c. 322.
- DEPARTMENT OF LABOUR ACT. R.S.O. 1927, c. 62.
- DEPENDANTS' RELIEF ACT. 1929, c. 47.
- DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. R.S.O. 1927, c. 184.
- DEVOLUTION OF ESTATES ACT. R.S.O. 1927, c. 148; 1929, c. 42, am.
- DISTRICT COURT HOUSES ACT. R.S.O. 1927, c. 352.
- DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1927, c. 349.
- DITCHES AND WATERCOURSES ACT. R.S.O. 1927, c. 316.
- DIVISION COURTS ACT. R.S.O. 1927, c. 95; 1929, c. 30, am.
- DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1927, c. 300; 1929, c. 78 am.
- DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1927, c. 124.
- DOMINION COURTS ACT. R.S.O. 1927, c. 87.
- DOWER ACT. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.
- DRAINAGE. *See* Ditches and Watercourses Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.
- DRUGLESS PRACTITIONERS ACT. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.

## E

EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act.

EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.

ELECTION ACT. R.S.O. 1927, c. 8, 1928; c. 3 am; 1929, c. 5 am.

ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.

ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act.

EMBALMERS AND FUNERAL DIRECTORS. 1928, c. 31.

EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.

EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.

ENGINEERS. *See* Professional Engineers Act; Stationary and Hoisting Engineers Act.

ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.

ESCHEATS ACT. R.S.O. 1927, c. 133.

ESTATES TAIL ACT. R.S.O. 1927, c. 141.

ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.

EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.

EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.

EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14.

EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.

EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.

EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am; 1929, c. 52 am

## F

FACTORS ACT. R.S.O. 1927, c. 168.

FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4, 5, 6, 7, 8, 10, 11, 12 am.

FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.

FARM LOANS ACT. R.S.O. 1927, c. 69.

FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.

FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.

FEMALE REFUGES ACT. R.S.O. 1927, c. 347.

FENCES. *See* Line Fences Act; Snow Roads and Fences Act.

FERRIES ACT. R.S.O. 1927, c. 159.

FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.

FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.

FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.

FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.

FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.

FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.

FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.

FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.

FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.

FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.

FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291.

FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.

FORESTRY ACT. R.S.O. 1927, c. 41.

FOWL. *See* Transportation of Fowl Act.

FRAUD. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Security Frauds' Prevention Act; Statute of Frauds.

FRAUDULENT CONVEYANCES ACT. R.S.O. 1927, c. 134.

FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1927, c. 115.

FRUIT PACKING ACT. R.S.O. 1927, c. 76.

FRUIT PEST ACT. R.S.O. 1927, c. 310.

FRUIT SALES ACT. R.S.O. 1927, c. 269.

FRUIT AND VEGETABLES CONSIGNMENT ACT. R.S.O. 1927, c. 270.

FUEL SUPPLY ACT. R.S.O. 1927, c. 51.

FUR-BEARING ANIMALS KEPT IN CAPTIVITY ACT. R.S.O. 1927, c. 321.

## G

GAME AND FISHERIES ACT. R.S.O. 1927, c. 318; 1928, c. 52 am; 1929, c. 82 am.  
 GAMING ACT. R.S.O. 1927, c. 260.  
 GAOLS ACT. R.S.O. 1927, c. 351.  
 GAS. *See* Natural Gas Conservation Act; Well Drillers Act.  
 GASOLINE TAX ACT. R.S.O. 1927, c. 55; 1929, c. 18 am.  
 GENERAL PURCHASING AGENTS' ACT. R.S.O. 1927, c. 34.  
 GENERAL SESSIONS ACT. R.S.O. 1927, c. 92.  
 GINSENG ACT. R.S.O. 1927, c. 313.  
 GOVERNMENT STOCK. *See* Provincial Loans Act.  
 GUARANTEE COMPANIES SECURITIES ACT. R.S.O. 1927, c. 230.  
 GUARDIANSHIP. *See* Infants Act.

## H

HABEAS CORPUS ACT. R.S.O. 1927, c. 116.  
 HALIBURTON ACT. R.S.O. 1927, c. 4.  
 HEALTH. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.  
 HIGH SCHOOLS ACT. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.  
 HIGHWAY. *See* Colonization Roads Act; Highway Improvement Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.  
 HIGHWAY IMPROVEMENT ACT. R.S.O. 1927, c. 54; 1928, c. 18 am; 1929, c. 17 am.  
 HIGHWAY TRAFFIC ACT. R.S.O. 1927, c. 251; 1928, c. 42 am; 1929, c. 68 am.  
 HORSES. *See* Entry of Horses at Exhibitions Act; Stallion Act.  
 HORTICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 72.  
 HOSPITALS. *See* An Act respecting the Toronto General Hospital; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Ontario Hospital, Woodstock Act; Private Sanitarium Act; Psychiatric Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.  
 HOSPITALS AND CHARITABLE INSTITUTIONS ACT. R.S.O. 1927, c. 359; 1928, c. 59 am.  
 HOSPITALS FOR THE INSANE ACT. R.S.O. 1927, c. 353.  
 HOTELS ACT. 1929, c. 75.  
 HOURS OF LABOUR. *See* Factory, Shop and Office Building Act; Fire-Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.  
 HOUSES OF REFUGE ACT. R.S.O. 1927, c. 348.  
 HYDRO-ELECTRIC. *See* Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.  
 HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.  
 HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

## I

INDUSTRIAL EDUCATION. *See* Vocational Education Act.  
 INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350.  
 INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.  
 INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329.  
 INDUSTRIAL SITES ACT. 1929, c. 59.  
 INFANTS. *See* Children.  
 INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.  
 INJURED ANIMALS ACT. R.S.O. 1927, c. 302.  
 INNKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.  
 INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.  
 INSOLVENCY. *See* Assignment and Preferences Act.  
 INSURANCE. *See* Insurance Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.  
 INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am; 1929, c. 53 am.  
 INTERPRETATION ACT. R.S.O. 1927, c. 1.  
 INTESTATE SUCCESSION. *See* Devolution of Estates Act.  
 INVESTIGATION OF TITLES ACT. 1929, c. 41.

## J

JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.  
 JUDICATURE ACT. R.S.O. 1927, c. 88; 1928, c. 21, s. 4 am.  
 JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.  
 JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118.  
 JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am; 1929, c. 74 am.



## K

KING'S PRINTER ACT. R.S.O. 1927, c. 79.

## L

LABOUR. *See* Labour Department Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Workmen's Compensation Act.

LAC SEUL CONSERVATION ACT. 1928, c. 12.

LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.

LAND. *See* Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Tax Sales Confirmation Act.

LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.

LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.

LAND TRANSFER TAX ACT. R.S.O. 1927, c. 31.

LANDLORD AND TENANT ACT. R.S.O. 1927, c. 190; 1928, c. 30 am.

LAW SOCIETY ACT. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.

LAW STAMPS ACT. R.S.O. 1927, c. 27.

LEASES. *See* Short Form of Leases Act.

LEGISLATIVE ASSEMBLY ACT. R.S.O. 1927, c. 12.

LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. R.S.O. 1927, c. 15.

LEGITIMATION ACT. R.S.O. 1927, c. 187.

LIBEL AND SLANDER ACT. R.S.O. 1927, c. 101.

LIBRARIES. *See* Public Libraries Act.

LIEUTENANT-GOVERNOR'S ACT. R.S.O. 1927, c. 13.

LIGHTNING ROD ACT. R.S.O. 1927, c. 297.

LIMITATIONS ACT. R.S.O. 1927, c. 106.

LIMITED PARTNERSHIP ACT. R.S.O. 1927, c. 171.

LINE FENCES ACT. R.S.O. 1927, c. 315.

LIQUOR CONTROL ACT. R.S.O. 1927, c. 257; 1928, c. 44 am; 1929, c. 69 am., c. 75, s. 3 am.

LIVE STOCK AND PRODUCTS ACT. R.S.O. 1927, c. 306.

LOAD OF VEHICLES. *See* Highway Traffic Act.

LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am; 1929, c. 54, am.

LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act.

LOCAL IMPROVEMENT ACT. R.S.O. 1927, c. 235; 1928, c. 38 am; 1929, c. 60 am.

LONG POINT PARK ACT. R.S.O. 1927, c. 84.

LUNACY ACT. R.S.O. 1927, c. 98; 1929, c. 32 am.

LUXURY TAX ACT. R.S.O. 1927, c. 33.

## M

MAGISTRATES ACT. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.

MAGISTRATES' JURISDICTION ACT. 1929, c. 36.

MANITOBA. *See* Ontario and Manitoba Boundary Line Act.

MARKETING. *See* Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act.

MARRIAGES. *See* Marriage Act; Vital Statistics Act.

MARRIAGE ACT. R.S.O. 1927, c. 181; 1928, c. 27 am.

MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1927, c. 182.

MASTER AND SERVANT ACT. R.S.O. 1927, c. 177; 1929, c. 23, s. 9.

MATERNITY BOARDING HOUSE ACT. R.S.O. 1927, c. 278.

MECHANICS' LIEN ACT. R.S.O. 1927, c. 173.

MEDICAL ACT. R.S.O. 1927, c. 196.

MERCANTILE LAW AMENDMENT ACT. R.S.O. 1927, c. 161.

MILK. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.

MILK, CHEESE AND BUTTER ACT. R.S.O. 1927, c. 266.

MILK AND CREAM ACT. R.S.O. 1927, c. 265.

MILLS LICENSING ACT. R.S.O. 1927, c. 39.

MINIMUM WAGE ACT. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.

MINING. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.

MINING ACT. R.S.O. 1927; c. 45; 1928, c. 16 am; 1929, c. 15 am.

MINING SCHOOLS ACT. R.S.O. 1927, c. 341.

MINING TAX ACT. R.S.O. 1927, c. 28.

MINORITY SHAREHOLDERS RIGHTS ACT. R.S.O. 1927, c. 229.

MINORS' PROTECTION ACT. R.S.O. 1927, c. 259.

MONEY-LENDERS ACT. R.S.O. 1927, c. 212.  
 MORTGAGE TAX ACT. R.S.O. 1927, c. 156; 1929, c. 44 am.  
 MORTGAGES. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Short Forms of Mortgages Act.  
 MORTGAGES ACT. R.S.O. 1927, c. 140.  
 MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1927, c. 132.  
 MOTOR VEHICLES. *See* Highway Traffic Act.  
 MOTHERS' ALLOWANCES ACT. R.S.O. 1927, c. 280; 1928, c. 47 am; 1929, c. 23, s. 16 am.  
 MOVING PICTURES. *See* Theatres and Cinematographs Act.  
 MUNICIPAL AFFAIRS. *See* Assessment Act; Bonus Limitation Act; Bureau of Municipal Affairs Act; Local Improvement Act; Municipal Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.  
 MUNICIPAL ACT. R.S.O. 1927, c. 233; 1928, c. 37 am; 1929, c. 57 am., c. 58 am., c. 79; s. 13 am.  
 MUNICIPAL ARBITRATIONS ACT. R.S.O. 1927, c. 242; 1928, c. 40 am.  
 MUNICIPAL BOARD. *See* Railway and Municipal Board Act.  
 MUNICIPAL DRAINAGE ACT. R.S.O. 1927, c. 241.  
 MUNICIPAL DRAINAGE AID ACT. R.S.O. 1927, c. 64.  
 MUNICIPAL ELECTIONS. *See* Municipal Act; Voters' Lists Act.  
 MUNICIPAL ELECTRIC RAILWAY ACT. R.S.O. 1927, c. 226.  
 MUNICIPAL FRANCHISES ACT. R.S.O. 1927, c. 240; 1929, c. 65 am.  
 MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1927, c. 243.  
 MUSEUM. *See* Royal Ontario Museum.

## N

NATURAL GAS. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.  
 NATURAL GAS CONSERVATION ACT. R.S.O. 1927, c. 47; 1929, c. 16 am.  
 NIAGARA PARKS ACT. R.S.O. 1927, c. 81; 1929, c. 27 am.  
 NORTHERN DEVELOPMENT ACT. R.S.O. 1927, c. 36; 1929, c. 12 am.  
 NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.  
 NORTHERN ONTARIO APPROPRIATION ACT. 1929, c. 11.  
 NORTHERN ONTARIO RELIEF ACT. 1928, c. 10.  
 NOTARIES ACT. R.S.O. 1927, c. 195.  
 NURSES. *See* Registration of Nurses Act.

## O

OFFENSIVE WEAPONS ACT. R.S.O. 1927, c. 288.  
 OFFICIAL NOTICES PUBLICATION ACT. R.S.O. 1927, c. 21.  
 OIL WELLS. *See* Well Drillers Act.  
 OLD AGE PENSIONS ACT. 1929, c. 73.  
 ONE DAY'S REST IN SEVEN ACT. R.S.O. 1927, c. 276.  
 ONTARIO AND MANITOBA BOUNDARY LINE ACT. 1929, c. 3.  
 ONTARIO HOSPITAL, WOODSTOCK, ACT. R.S.O. 1927, c. 356.  
 ONTARIO LOAN ACT. 1928, c. 6; 1929, c. 2.  
 OPTOMETRY ACT. R.S.O. 1927, c. 215.

## P

PAPER MILLS. *See* Mills Licensing Act.  
 PARENTS' MAINTENANCE ACT. R.S.O. 1927, c. 185; 1929, c. 46 am.  
 PARKS. *See* Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'île Park Act; Provincial Parks Act; Public Parks Act.  
 PAROLE ACT. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.  
 PARTITION ACT. R.S.O. 1927, c. 142.  
 PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.  
 PARTNERSHIP ACT. R.S.O. 1927, c. 170.  
 PARTNERSHIP REGISTRATION ACT. R.S.O. 1927, c. 172.  
 PATRICIA ACT. R.S.O. 1927, c. 5.  
 PAWNBROKERS' ACT. R.S.O. 1927, c. 213.  
 PERSONATION ACT. R.S.O. 1927, c. 9.  
 PETTY TRESPASS ACT. R.S.O. 1927, c. 139.  
 PHARMACY ACT. R.S.O. 1927, c. 199.  
 PLANNING AND DEVELOPMENT ACT. R.S.O. 1927, c. 236; 1929, c. 61 am.  
 POLICE. *See* Constables Act; Dominion Commissioners of Police Act.  
 POLICE MAGISTRATES. *See* Magistrates Act.  
 POLITICAL CONTRIBUTIONS ACT. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.  
 POOL ROOMS. *See* Minors' Protection Act.  
 POUNDS ACT. R.S.O. 1927, c. 301.  
 POWER. *See* Lac Seul Conservation Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Water Powers Regulation Act.



- POWER COMMISSION ACT. R.S.O. 1927, c. 57; 1928, c. 19 am; 1929, c. 20 am., c. 21 aff.  
c. 23, s. 20 aff.
- POWER COMMISSION AND COMPANIES' TRANSFER ACT. 1929, c. 22.
- POWER COMMISSION INSURANCE ACT. R.S.O. 1927, c. 60.
- POWERS OF ATTORNEY ACT. R.S.O. 1927, c. 135.
- PRESQU'ILE PARK ACT. R.S.O. 1927, c. 85; 1929, c. 28 am.
- PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.
- PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1927, c. 361.
- PRIVATE DETECTIVES ACT. R.S.O. 1927, c. 214.
- PRIVATE FOREST RESERVES ACT. R.S.O. 1927, c. 290.
- PRIVATE SANITARIUM ACT. R.S.O. 1927, c. 355.
- PRIVY COUNCIL APPEALS ACT. R.S.O. 1927, c. 86.
- PROBATION ACT. R.S.O. 1927, c. 364; 1929, c. 88 am.
- PROFESSIONAL ENGINEERS ACT. R.S.O. 1927, c. 206.
- PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1927, c. 130.
- PROTECTION OF BIRDS ACT. R.S.O. 1927, c. 319.
- PROTECTION OF CATTLE ACT. R.S.O. 1927, c. 304; 1928, c. 50 am.
- PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1927, c. 63; 1929, c. 24 am.
- PROVINCIAL AUCTIONEERS' LICENSE ACT. R.S.O. 1927, c. 217.
- PROVINCIAL FORESTS ACT. 1929, c. 14 Rep. and sub.
- PROVINCIAL HIGHWAYS. *See* Highway Improvement Act.
- PROVINCIAL LAND TAX ACT. R.S.O. 1927, c. 30; 1928, c. 8 am.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1927, c. 23.
- PROVINCIAL PARKS ACT. R.S.O. 1927, c. 82.
- PSYCHIATRIC HOSPITALS ACT. R.S.O. 1927, c. 354.
- PUBLIC AUTHORITIES PROTECTION ACT. R.S.O. 1927, c. 120.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings.
- PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253.
- PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.
- PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.
- PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.
- PUBLIC OFFICERS' FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.
- PUBLIC PARKS ACT. R.S.O. 1927, c. 248.
- PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.
- PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2, 3, 4 am.
- PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers' Fees Act; Public Service Act.
- PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.
- PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.
- PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151.
- PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.
- PUBLIC WORKS ACT. R.S.O. 1927, c. 52.
- PUBLIC VEHICLES ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.
- PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act. Pulpwood Conservation Act.
- PULPWOOD CONSERVATION ACT. 1929, c. 13.

## Q

- QUIETING TITLES ACT. R.S.O. 1927, c. 154.

## R

- RACE TRACKS. *See* Corporations Tax Act.
- RADIUM ACT. R.S.O. 1927, c. 46.
- RAILWAY ACT. R.S.O. 1927, c. 224.
- RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.
- RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23, s. 12 am.
- RAILWAYS. *See* Hydro-Electric Railway Act; Municipal Electric Railway Act; Railway Act; Railway and Municipal Board Act; Railway Fire Charge Act; Windsor, Essex and Lake Shore Rapid Railway Act.
- RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.
- REFORESTATION. *See* Forestry Act.
- REFORMATORY ACT. R.S.O. 1927, c. 345.

REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.  
 REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.  
 REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.  
 RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.  
 REPLEVIN ACT. R.S.O. 1927, c. 99.  
 REPRESENTATION ACT. R.S.O. 1927, c. 6.  
 RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.  
 REVENUE. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act.  
 REVISED STATUTES ACT. 1928, c. 2.  
 RIVERS. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.  
 ROADS. *See* Highway.  
 ROYAL ONTARIO MUSEUM ACT. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.  
 RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. R.S.O. 1927, c. 59.

## S

SALE OF GOODS ACT. R.S.O. 1927, c. 163.  
 SALES. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.  
 SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1927, c. 357.  
 SAWLOGS. *See* Cullers' Act; Lakes and Rivers Improvement, Part VI.  
 SAW MILLS. *See* Mills Licensing Act.  
 SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 332.  
 SCHOOL LAW AMENDMENT ACT. 1928, c. 53; 1929, c. 84.  
 SCHOOLS SITES ACT. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.  
 SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1927, c. 336.  
 SCHOOLS. *See* Education; School Sites Act; School Trust Conveyances Act.  
 SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1927, c. 330.  
 SECURITY FRAUDS PREVENTION ACT. 1928, c. 34; 1929, c. 51 am.  
 SEDUCTION ACT. R.S.O. 1927, c. 102.  
 SEPARATE SCHOOLS ACT. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.  
 SETTLED ESTATES ACT. R.S.O. 1927, c. 105.  
 SHEEP. *See* Dog Tax and Sheep Protection Act.  
 SHERIFFS' ACT. R.S.O. 1927, c. 18; 1929, c. 8 am.  
 SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1927, c. 143.  
 SHORT FORMS OF LEASES ACT. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.  
 SHORT FORMS OF MORTGAGES ACT. R.S.O. 1927, c. 145.  
 SHOWS. *See* Theatres and Cinematographs Act; Travelling Shows Act.  
 SILICOSIS ACT. 1929, c. 71.  
 SNOW ROADS AND FENCES ACT. R.S.O. 1927, c. 254.  
 SOLDIERS' AID COMMISSION ACT. 1929, c. 4 rep. and sup.  
 SOLICITORS ACT. R.S.O. 1927, c. 194.  
 STALLION ACT. R.S.O. 1927, c. 303.  
 STANDARD HOTEL REGISTRATION OF GUESTS ACT. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.  
 STATIONARY AND HOISTING ENGINEERS' ACT. R.S.O. 1927, c. 207.  
 STATUTE OF FRAUDS. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.  
 STATUTE LABOUR ACT. R.S.O. 1927, c. 239.  
 STATUTE LAW AMENDMENT ACT. 1928, c. 21; 1929, c. 23.  
 STATUTES ACT. R.S.O. 1927, c. 2.  
 STEAM BOILER ACT. R.S.O. 1927, c. 308; 1929, c. 80 am.  
 STEAM THRESHING ENGINES ACT. R.S.O. 1927, c. 307.  
 STENOGRAPHIC REPORTERS ACT. R.S.O. 1927, c. 204.  
 SUBURBAN AREA DEVELOPMENT ACT. R.S.O. 1927, c. 237; 1929, c. 62 am.  
 SUBURBAN AREAS. *See* Planning and Development Act; Suburban Area Development Act.  
 SUCCESSION DUTY ACT. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.  
 SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.  
 SUMMARY CONVICTIONS ACT. R.S.O. 1927, c. 121; 1929, c. 37 am.  
 SUPERANNUATION. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.  
 SURROGATE COURTS ACT. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.  
 SURVEYORS. *See* Land Surveyors' Act.  
 SURVEYS ACT. R.S.O. 1927, c. 202.

## T

- TAXATION. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Luxury Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Succession Duty Act.
- TAX SALES CONFIRMATION ACT. 1929, c. 64.
- TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.
- TECHNICAL EDUCATION. *See* Vocational Education Act.
- TELEGRAPH COMPANIES ACT. R.S.O. 1927, c. 220.
- TELEPHONE ACT. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.
- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1927, c. 53.
- TERRITORIAL DIVISION ACT. R.S.O. 1927, c. 3.
- THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1927, c. 285.
- THRESHING MACHINES. *See* Steam Threshing Engines Act; Threshing Machines Act.
- THRESHING MACHINES ACT. R.S.O. 1927, c. 287.
- TICKET SPECULATION ACT. R.S.O. 1927, c. 273.
- TILE DRAINAGE ACT. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep. and sup.
- TIMBER. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.
- TIMBER CUTTING REGULATION ACT, 1928, c. 15.
- TORONTO GENERAL HOSPITAL ACT. R.S.O. 1927, c. 358; 1928, c. 58 aff.
- TOWN SITES ACT. R.S.O. 1927, c. 44.
- TRADE DISPUTES ACT. R.S.O. 1927, c. 178.
- TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
- TRANSPORTATION OF FOWL ACT. 1929, c. 79.
- TRAVELLING SHOWS ACT. R.S.O. 1927, c. 256.
- TREE PLANTING ACT. R.S.O. 1927, c. 255.
- TRUST CORPORATIONS ACT. *See* Loan and Trust Corporations Act.
- TRUSTEE ACT. R.S.O. 1927, c. 150; 1928, c. 23 am.

## U

- UNDERTAKERS. *See* Embalmers and Funeral Directors Act.
- UNIVERSITY ACT. R.S.O. 1927, c. 337.
- UNIVERSITY AVENUE EXTENSION ACT. 1928, c. 17; 1929, c. 23, s. 19 am.
- UNIVERSITY LANDS ACT. 1928, c. 55; 1929, c. 85 am.
- UNIVERSITY OF WESTERN ONTARIO ACT. 1928, c. 56.
- UNWROUGHT METAL SALES ACT. R.S.O. 1927, c. 50.
- UPPER CANADA COLLEGE ACT. R.S.O. 1927, c. 338.

## V

- VACANT LAND CULTIVATION ACT. R.S.O. 1927, c. 250.
- VACCINATION ACT. R.S.O. 1927, c. 263.
- VEGETABLES. *See* Fruit and Vegetables Consignment Act.
- VEHICLES. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.
- VENDORS AND PURCHASERS ACT. R.S.O. 1927, c. 153.
- VENEREAL DISEASES PREVENTION ACT. R.S.O. 1927, c. 264.
- VETERINARY COLLEGE ACT. R.S.O. 1927, c. 340.
- VETERINARY SCIENCE PRACTICE ACT. R.S.O. 1927, c. 208.
- VEXATIOUS ACTIONS. *See* Public Authorities Protection Act.
- VITAL STATISTICS ACT. R.S.O. 1927, c. 78; 1929, c. 26 am.
- VOCATIONAL EDUCATION ACT. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.
- VOTERS' LISTS ACT. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.

## W

- WAGES. *See* Minimum Wage Act; Public and other Works Wages Act.
- WAGES ACT. R.S.O. 1927, c. 176.
- WAREHOUSEMEN'S LIEN ACT. R.S.O. 1927, c. 169.
- WATER POWERS REGULATION ACT. R.S.O. 1927, c. 58.
- WEED CONTROL ACT. R.S.O. 1927, c. 309; 1928, c. 51 am.
- WELL DRILLERS ACT. R.S.O. 1927, c. 48.
- WHARFS AND HARBOURS ACT. R.S.O. 1927, c. 221.
- WILLS ACT. R.S.O. 1927, c. 149.
- WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY ACT. 1929, c. 56, ss. 2-18 aff., s. 19 am.
- WITNESSES. *See* Evidence Act.

- WIVES. *See* Deserted Wives' and Children's Maintenance Act; Dependants' Relief Act; Dower Act.
- WOLF BOUNTY ACT. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.
- WOMEN. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refuges Act; Minimum Wage Act; Mothers' Allowances Act.
- WOODMEN'S LIEN FOR WAGES ACT. R.S.O. 1927, c. 174.
- WORKMEN'S COMPENSATION ACT. R.S.O. 1927, c. 179; 1928, c. 26 am.
- WORKMEN'S COMPENSATION INSURANCE ACT. R.S.O. 1927, c. 180.







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